

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES 1934

VOLUME 9

NUMBER 42

Washington, Tuesday, February 29, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[FPO 13, Rev. 1, Amdt. 1]

PART 1226—ROTENONE INSECTICIDE

AGRICULTURAL USE OF ROTENONE INSECTICIDE

Paragraph (e) (2) of § 1226.1 (8 F.R. 15809) is hereby amended to read as follows:

(2) No dealer shall deliver rotenone insecticide to any person for agricultural use other than the uses permitted in paragraph (c) hereof. No dealer shall deliver any rotenone insecticide pursuant to this order in a container other than the original unbroken package, unless the insecticide is transferred to a properly labeled bag or to another container to which there is attached a tag, sticker or label, clearly setting forth the ingredient statement required by the Federal Insecticide Act of 1910, as amended, the name and address of the dealer, the name brand or trademark of the insecticide and the permitted uses.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator

[F. R. Doc. 44-2849; Filed, February 28, 1944;
11:15 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 58, Revocation]

PART 1403—ANIMAL FOODS

MANUFACTURE OF PET FOODS

Food Distribution Order No. 58 (8 F.R. 9102) issued by me on June 30, 1943, is revoked as of 12:01 a. m., e. w. t., March 1, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 58, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 58 in effect prior to this revocation shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 26th day of February 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-2807; Filed, February 26, 1944;
3:41 p. m.]

[FDO 67, Amdt. 2]

PART 1460—FATS AND OILS

INEDIBLE TALLOW OR GREASE

Pursuant to the authority vested in the War Food Administrator, Food Distribution Order 67, as amended (8 F.R. 15810), § 1460.27, is amended as follows:

By deleting the figure "1/4" in paragraph (e) (3) thereof and inserting in lieu thereof the figure "1/2"

This amendment shall become effective on February 25, 1944 at 12:01 a. m., e. w. t. However, with respect to violations of said Food Distribution Order 67, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order 67 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of February 1944.

WILSON COWEN,
Assistant War Food Administrator

[F. R. Doc. 44-2753; Filed, February 25, 1944;
3:41 p. m.]

CONTENTS

REGULATIONS AND NOTICES

CENSUS BUREAU:	Page
Foreign trade statistics; dates of importation and exportation.....	2304
COAL MINES ADMINISTRATION:	
Belle Valley Coal Co., et al., termination of Government possession.....	2305
FARM SECURITY ADMINISTRATION:	
Trinity County, Texas; designation as loan locality.....	2305
FEDERAL COMMUNICATIONS COMMISSION:	
Hearings, etc.,	
Chesapeake and Potomac Telephone Co.....	2307
Pennsylvania Telephone Corp.....	2303
FEDERAL TRADE COMMISSION:	
Bennettville Mattress Factory, hearing.....	2303
INTERSTATE COMMERCE COMMISSION:	
Mexico, movement of freight cars into.....	2304
Refrigeration orders:	
Chease, Freeport, Ill.....	2303
Lard, Waterloo, Iowa.....	2303
OFFICE OF DEFENSE TRANSPORTATION:	
Motor carriers, revision of form. Taxicabs, coordinated operation in certain areas:	
Bay City, Mich.....	2310
Corning and Painted Post, N. Y.....	2309
Muskegon, Mich.....	2310
Rome, N. Y.....	2303
OFFICE OF PRICE ADMINISTRATION:	
Apples, applesauce, apple juice, etc. (MPR 493, Am. 6).....	2301
Apples, dried (MPR 493, Am. 5).....	2283
Automobiles, rationing (RO 2B, Am. 11).....	2238
Boilers, cast-iron (MPR 272, Am. 4).....	2301
Dairy products, sales to U. S. Government purchasers:	
Cheese (MPR 289, Am. 28).....	2283
Skim milk, buttermilk, powdered milk (MPR 289, Am. 27).....	2289
Defense rental areas; Lubbock, Tex.,	
Hotels (Am. 15).....	2290
Housing (Am. 18).....	2283

(Continued on next page)



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

Book 1: Titles 1-3 (Presidential documents) with tables and index.

Book 2: Titles 4-9, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.		Page
Food rationing, institutional users:		
(Gen. RO 5, Am. 48)	2287	
(Gen. RO 5, Am. 5 to Supp. 1) ..	2287	
(Gen. RO 5, Am. 1 to Supp. 2) ..	2287	
Foods, processed (Rev. RO 13, Am. 4 to 2d Rev. Supp. 1) ..	2290	
Furniture, upholstered (MPR 188, Order 1298)	2311	
Gasoline rationing; automotive parts dealers (RO 5C, Am. 108)	2302	
Horsemeat (MPR 367, Am. 4)	2299	
Ice (MPR 154, Am. 7)	2300	
Imported manufactured goods (MIPR, Order 8)	2312	
Iron castings, gray (MPR 244, incl. Am. 7)	2290	
Papers and certain paperboards, fine (MPR 400, Am. 2)	2289	

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.		Page
Petroleum products, transportation in Louisiana (Rev. SR 14, Am. 97)	2297	
Potatoes (RMPR 271, Am. 11) ..	2298	
Ration stamps and coupons (Gen. RO 7, Am. 7)	2287	
Regional and district office orders:		
Adjustments:		
Columbus Brick Co.	2313	
Corinth Brick Co.	2313	
Milk, Colorado	2314	
Solid fuels:		
Denver region	2313	
Marion County, Ind.	2312	
Michigan, certain areas	2312	
Toledo, Ohio	2312	
Rubber boots and work shoes (RO 6A, Am. 8)	2302	
Rubber drug sundries:		
Manufacturers' prices (MPR 300, Am. 15)	2287	
Retail and wholesale prices (MPR 301, Am. 10)	2288	
Screen goods, stock (MPR 381, Am. 2)	2300	
Watches, Swiss (MPR 499, Am. 1)	2300	
Woodpulp, (MPR 114, Am. 10) ..	2302	
Work gloves, manufacturers' prices (MPR 506, Am. 2)	2297	
PETROLEUM ADMINISTRATION FOR WAR:		
Motor fuel and fuel oil, deliveries for specified uses (PDO 14)	2302	
RECLAMATION BUREAU:		
Prosser Creek Reservoir Site, Calif.; partial revocation of first form withdrawal	2304	
RURAL ELECTRIFICATION ADMINISTRATION:		
Allocation of funds for loans ..	2305	
SECURITIES AND EXCHANGE COMMISSION:		
Hearings, etc.:		
Commonwealth and Southern Corp. (Del.)	2314	
National Power and Light Co., et al.	2315	
Niagara Falls Power Co.	2315	
SELECTIVE SERVICE SYSTEM:		
Virgin Islands; assignment of serial and order numbers to registrant	2315	
WAGE AND HOUR DIVISION:		
Learner employment certificates:		
Cancellation and affirmation ..	2306	
Issuance (2 documents) ..	2306, 2307	
WAR COMMUNICATIONS BOARD:		
Radiotelephone communications, international; termination of certain non-governmental calls	2303	
WAR DEPARTMENT:		
Lapel buttons for honorable service, rules of eligibility and distribution	2304	
Military and technical information, safeguarding	2303	

CONTENTS—Continued

WAR FOOD ADMINISTRATION:		Page
Pet foods, revocation (FDO 58) ..	2255	
Rotenone insecticide (FPO 13, Am. 1)	2255	
Tallow or grease, inedible (FDO 67, Am. 2)	2255	
WAR PRODUCTION BOARD:		
Aircraft lighting equipment (L-327)	2260	
Chemicals and allied products (M-300)	2280	
Peroxygen chemicals (M-300, Sch. 5)	2283	
Citric acid (M-300, Sch. 6, and M-321) (2 documents) ..	2278, 2284	
Compressors (L-100)	2276	
Controlled material plan:		
Maintenance, repair and operating supplies (CMP Reg. 5)	2261	
Quota and expenditure records (CMP 5, Dir. 13)	2267	
Use of material to install equipment (CMP Reg. 9A, Dir. 2)	2267	
Fans and blowers (L-280)	2278	
Footwear (M-217, Int. 4)	2280	
Furniture (L-260-a)	2270	
Hardware simplification (L-236, Sch. 3)	2260	
Heat exchangers (L-172)	2277	
Industrial equipment (L-123 and Ints. 1-3) (2 documents)	2276, 2277	
Iron and steel production, maintenance, repair and supplies (P-68)	2271	
Lumber:		
Hardwood, deliveries to:		
Railroads, truck manufacturers, etc. (M-364, Dir. 4)	2279	
Steel, etc., producers (M-364, Dir. 5)	2279	
Southern yellow pine, deliveries to:		
Railroads, truck manufacturers, etc. (M-361, Dir. 4)	2278	
Steel, etc., producers (M-361, Dir. 5)	2279	
Office machinery (L-54-c)	2273	
Priorities system:		
Fire protective equipment (PR 3, Int. 3)	2261	
Preference ratings (PR 3)	2257	
Pumps (L-246)	2278	
Scheduled products:		
Actions with respect to freezing of schedules (M-293, Dir. 1)	2278	
Applicability of Tables 3-15 (M-293, Dir. 2)	2278	
Styrene, exchange and use in Canada of technical information (Cert. 196)	2317	
Suspension, consent orders, etc.:		
Dentalium Laboratories and Dentalium Products, and Para-Chrome Research Laboratories, Inc.	2317	
Glosser, M., and Sons	2317	
Tools, light power driven (L-237)	2267	
Vitamin A (M-373)	2285	

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended Feb. 26, 1944]

§ 944.23 *Priorities Regulation 3—(a) Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of

material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design. Substitution of less scarce materials which do not substantially alter the purpose for which the material is to be used is, however, permitted. The Conservation Division of the War Production Board from time to time publishes a list showing the relative scarcity of materials, entitled "Materials Substitution and Supply List." The latest copy may be obtained from any War Production Board office.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material; nor may he extend it to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether pur-

chased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services—(1) Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services

as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.*

(1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7.

He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and

that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By -----
(Signature and Title of
Duly Authorized Officer)

(Date)

(2) If the order is placed by telegraph the person placing the order may include in the telegram the words "ratings certified" or words to that effect and the requirements for signature under Priorities Regulation 7 will be complied with if the copy of the telegram kept by the person placing the order is signed or authorized in the manner provided in that regulation.

(3) A rating may be applied or extended by telephone only if the telephone order requires shipment within 7 days. The person placing the order must state the rating which is being applied or extended and must place the certification on the confirmation of the order or, if it is not confirmed in writing, must put it on his written record of the order. The seller must make a note in his records that the rating was received over the telephone.

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By: J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and com-dimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-201.

Steam heating, central.

Sterilizer equipment, as defined in Order L-266.

Track-laying tractor repair parts (See Limitation Order L-53-b).

Ice.

Tobaccos.¹

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible, and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).¹

Sulfated, sulfonated, and sulfurized fats and oils.¹

Tall oil.¹

Wool grease.¹

Soap (other than metallic).¹

Fatty acids.¹

Food for human or animal consumption.¹

Glycerine.¹

Graphite crucibles.

Pig iron.

LIST B

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed the list, application may be made on Form to get a specified quantity of any product on WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Blowers and industrial vacuum cleaners governed by Limitation Order L-222.

Capping, closing and sealing machinery and equipment for cans, jars and bottles (other than screw capping machines) having a retail sales value of \$25 or more, inclusive of motor, as listed in Schedule A of Order L-332 (except for replacement of existing machinery or equipment).

Cast iron ware, as defined by Limitation Order L-30-c.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

China ware.

Civilian defence devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

- air raid warnings or detection of the presence of enemy aircraft; or
- blackouts or dimouts; or
- the protection of civilians, either individually or collectively, against enemy action or attack.

Clocks and watches.

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

- Closures for glass containers.
- Gummed stay and sealing tape, paper and cloth.
- Paper and paperboard bottle caps, closures, and hoods.

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include steel strapping, shipping reels and chids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

- Bags, all types, and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).
- Baskets and hampers.
- Cans, as defined in Order M-81.
- Collapsible tubes.
- Cooperage, tight and slack.
- Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.
- Folding and set-up boxes (paperboard).
- Gas cylinders, as defined in M-233.
- Glass containers.
- Ice cream cans (paperboard) and paraffin cartons and pails.
- Paper cups and paper food containers (except as otherwise stated in Direction 2 of this regulation).
- Paper milk containers.
- Steel shipping drums as defined in Order L-197.
- Wooden and fibre inner containers.
- Wooden and fibre shipping containers and parts, as defined in Order P-140.

Corrugated and solid fibre sheets, not constituting "shipping containers" or "parts" as defined in Order P-140.

Cutlery, as defined in any order of the L-140 series.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Filing cabinets, wooden.

Fire protective equipment, including:

- Couplings, playpipes and allied fittings;
- Fire hose, hose dryers, racks and reels;
- (Revoked.)
- Fire pumps;
- Fire sprinkler systems;
- Foam generators;
- Indicator posts;
- Lightning rod systems;
- Piped extinguishing systems;
- Portable fire extinguishers;
- Stirrup pumps;
- Water spray nozzles.

Flatware.

Frying pans.

Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Kitchen ware, heavy duty (except ratings applied by a food "processor" as defined in Order L-232):

- Bakery utensils;
- Butcher benches;
- Butcher blocks;
- Canopies or hoods;
- Carriers, food;
- Carriers, tray;
- Coffee mills and grinders;
- Counters, cafeteria, lunch and serving;
- Counter protectors;
- Cutters, french fry;
- Cutters, meat, bone and fish;
- Dispensers, milk and cream;
- Display racks;
- Dough dividers;
- Dough troughs;
- Knife sharpeners and grinders;
- Pans, cold;
- Potato mashers;
- Potato and vegetable parers or peelers;
- Racks, bread (bakery);
- Racks, dump (bakery);
- Racks, pans (bakery);
- Sandwich units;
- Slicers, meat and bread;
- Tables, bakers;
- Tables, cooks, chef, salad and work;
- Tables, rolled and clean dish;
- Toaster stands;
- Tray stands;
- Trucks, food;
- Urn stands;
- Insulation blowing machines complete, and the following parts thereof:

(a) Internal combustion engines, or electric motors.

(b) Blowers.

(c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-63, P-63, and P-88-b, and ratings assigned pursuant to Orders P-55, P-53 and P-73.)

Lawn mowers, including power and gang mowers.

Light power driven tools (as defined in L-237) which had a producer's list price on October 16, 1942, of more than \$175. The following types only:

a. Abrasive belt finishing machines (excluding wet and dry type)

b. Band saw machines (excluding gear driven)

c. Jointers

d. Lathes, bench and floor types as follows:

Metal spinning and woodworking

e. Radial saws

f. Routers

g. Scroll and jig saws

h. Shapers, vertical spindle

i. Table saws

Lighting fixtures, fluorescent (as defined in Order L-78), and incandescent (as defined in Order L-212), and electric floodlights. Blanket MRO ratings of AA-2 or higher may, however, be used.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

¹ Subject to FD Regulation No. 1 of the War Food Administration.

a. Anaesthesia and oxygen equipment and accessories;
b. Atomizers;
c. Clinical thermometers;
d. Crutches;
e. Dental consumable supplies;
f. Dental equipment and appliances (except dental lathes);

g. Diagnostic instruments and apparatus;
h. Electric light bulbs for diagnostic instruments;

i. Hearing aids;
j. Hospital and medical rubber drug sundries;
k. Hospital enamelware and stainless steel ware;

l. Hypodermic needles and syringes;
m. Operating and examining room furniture;

n. Operating and examining room lights;
o. Ophthalmic goods.

p. Orthopedic appliances including splints, belts and trusses;

q. Physical therapy equipment and supplies;

r. Sterilizers;

s. Surgical dressings;

t. Suture needles;

u. Sutures;

v. X-ray equipment and supplies.

Medical, surgical and dental instruments. Medicinal preparations, including vitamins.

Monorail system and additions thereto, except one complete addition valued at less than \$200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-233.

Plins, common and safety.

Precision measuring instruments and testing equipment—Preference Rating Order E-9.

Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotype backing-metal;

d. Printing paper, paperboard and binders' board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Signal and alarm equipment, including:

a. Central Station, proprietary, auxiliary and automatic fire alarms;

b. Watchman's time recording, burglar, bank vault, holdup and intrusion systems. Slide rules, precision engineering, having a list price of \$7.50 or more.

Venetian blinds.

Wire intercommunicating systems.

Wooden shelving.

Woodworking machinery having a producer's list price (as defined in Order L-311) of more than \$175.

NOTE: Lists A and B of this regulation will, in general, be revised on or about the 15th of every second month. Another revision may be expected about April 15, 1944.

INTERPRETATION 1, REVOCATION

Interpretation 1 of Priorities Regulation 3 is hereby revoked. (Issued Nov. 17, 1943.)

INTERPRETATION 2

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 4

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series. (Issued Aug. 13, 1943.)

INTERPRETATION 5

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manu-

facturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly. (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producer for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No. 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No. 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercom-

municating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted. (Issued Jan. 6, 1944.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b. (Issued Jan. 24, 1944.)

[F. R. Doc. 44-2768; Filed, February 26, 1944; 11:40 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 3, as Amended Feb. 26, 1944]

FIRE PROTECTIVE EQUIPMENT

The following interpretation was issued with respect to Priorities Regulation 3:

Blanket MRO ratings may be used to obtain repair parts and material for existing fire protective equipment, but may not be used to obtain end items of fire protective equipment. The term "Fire protective equipment", on List B attached to Priorities Regulation 3, includes only end items and does not include materials or parts required for the repair or maintenance of existing fire protective equipment.

For example, a fire extinguisher or a fire hose coupling is an end item of fire protective equipment and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair an extinguisher or coupling is not an end item and therefore

may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to obtain a fire sprinkler system nor to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. However, blanket MRO ratings may not be used to repair or replace new equipment which is still usable.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2769; Filed, February 26, 1944; 11:40 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5 as Amended Feb. 26, 1944]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3175.5 *CMP Regulation 5—(a) Purpose and scope.* (1) The purpose of this regulation is to provide a uniform procedure for obtaining maintenance, repair and operating supplies, both in the case of controlled materials obtained by use of allotment symbols under the Controlled Materials Plan and in the case of materials or products obtained by preference ratings. Persons requiring maintenance, repair and operating supplies, in any form, in such quantities as are available from warehouses or distributors under CMP Regulation No. 4, or at retail without preference ratings or allotments, may obtain the same without using the procedure provided in this regulation, but subject to all applicable limitations in War Production Board regulations and orders.

(2) The provisions of this regulation shall not apply to any governmental agency (other than Claimant Agencies) or to any institution, as the same are defined in paragraphs (b) (1) and (b) (2) of CMP Regulation No. 5A, regardless of whether it is engaged in the production of any product or in any activity or service listed in any schedule attached to this regulation or not. Procedures for the obtaining of maintenance, repair and operating supplies by such governmental agencies and by such persons and institutions are provided under CMP Regulation No. 5A. This regulation is also inapplicable to certain purchases by Claimant Agencies or for export as more fully provided in paragraph (g).

(3) [Deleted Feb. 26, 1944]

Note: Canadians will obtain MRO in the United States under Canadian Order FO 6 B.

(b) *Definitions.* Maintenance, repair and operating supplies and minor capital additions (which are sometimes collectively referred to as "MRO") have the following meanings in this regulation and in other War Production Board regulations and orders unless otherwise indicated:

(1) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition, and "repair" means the restoration of a fa-

cility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design, except as provided in paragraph (b) (3) of this regulation.¹

(2) "Operating supplies" means any materials or products which are normally carried by a person as operating supplies according to established accounting practice and are not included in his finished product, except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies. The term also includes such items as hand tools purchased by their employer for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge.²

(3) Minor capital additions may be obtained under the procedures provided for in this regulation for obtaining maintenance, repair and operating supplies where the cost of the minor capital addition does not exceed \$500 (excluding the purchaser's cost of labor) for any one complete capital addition. The term "one complete capital addition" includes a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition shall be subdivided for the purpose of coming within this paragraph, and where the capital addition involves construction, authorization to construct must be obtained to the extent required by Conservation Order L-41 or by any other applicable order or regulation of the War Production Board.³

(4) Production materials required by a manufacturer for physical incorporation in his products, which products he sells for use as maintenance, repair or operating supplies, may be obtained as provided in CMP Regulation No. 1 and in CMP Regulation No. 3, and such production materials shall not be deemed maintenance, repair or operating supplies, as to such manufacturer.

¹ See also Interpretation No. 8: Repairs which are capitalized must be treated as capital additions.

² See also: Interpretation No. 4: Material for the manufacture of containers is a production material; Direction No. 2: Steel shoe wire is to be treated as an operating supply; Direction No. 4: Stitching wire is to be treated as an operating supply; Direction No. 7: Welding rod is not an operating supply when used in manufacturing; Direction No. 9: Employees may use their employer's rating to buy hand tools and (Direction 11) safety equipment; Direction 16: Broom wire is to be treated as an operating supply.

³ See also Interpretation No. 9: Relationship of L-41 and CMP Regulation No. 5. Direction No. 15: MRO Symbol and Rating may be used to buy installation materials where authorization to construct is not required under L-41.

(c) Controlled materials. (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, any person engaged in the business of producing any product or conducting any business listed in Schedule I or II, requiring delivery of any controlled material, for maintenance, repair or operating supplies in the conduct of such business, may obtain the same by placing on his delivery order substantially the following certification (or the alternative form of certification provided in CMP Regulation No. 7), signed manually or as provided in Priorities Regulation No. 7:

CMP allotments symbol MRO—The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled materials covered by this order are required for essential maintenance, repair or operating supplies, to be used for a purpose listed in Schedule I or Schedule II of CMP Regulation No. 5 and that delivery thereof will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

Note: Unnumbered paragraph deleted Feb. 26, 1944.

An order bearing such certification shall constitute an authorized controlled material order.

(2) [Deleted Feb. 26, 1944]

(3) [Deleted Feb. 26, 1944]

(d) Preference ratings for maintenance, repair and operating supplies. (1) Subject to the quantity restrictions contained in paragraph (f) of this regulation, orders calling for delivery of maintenance, repair or operating supplies other than controlled materials (regardless of whether such supplies be Class A products, Class B products, or other products or materials) are hereby assigned preference ratings as follows:

(i) AA-1 for maintenance or repair of facilities required for producing any product or conducting any business listed in Schedule I or for necessary operating supplies for such production or business;

(ii) AA-2 for maintenance or repair of facilities required for producing any product or conducting any business listed in Schedule II or for necessary operating supplies for such production or business; and

(iii) AA-5 for necessary maintenance or repair of facilities required for producing any product or conducting any business not listed in Schedule I or Schedule II or for necessary operating supplies for any such purpose.⁵

(2) A preference rating assigned under this paragraph (d) shall be applied only by use of the following certification (or the alternative form of certification provided in CMP Regulation No. 7),

signed manually or as provided in Priorities Regulation No. 7:

Preference rating ----- (specify rating)—MRO. The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the items covered by this order are required for essential maintenance repair or operating supplies; that this order is rated and placed in compliance with CMP Regulation No. 5; and that the delivery requested will not result in a violation of the quantity restrictions contained in paragraph (f) of said regulation.

(3) [Deleted Feb. 26, 1944]

(e) Plants engaged in several activities. If a single plant or operating unit is engaged in several activities which are not all listed on the same schedule (or if some are so listed and others are unlisted), and it is impracticable to apportion requirements for maintenance, repair and operating supplies between such activities, the principal activity alone shall be considered for purposes of determining whether controlled materials may be obtained under paragraph (c) of this regulation and also for determining which preference ratings may be applied under paragraph (d).

(f) Quantity restrictions. A person who uses the MRO rating or symbol assigned by this regulation must not buy any more material and products than is permitted under this paragraph.

(1) General quota. A person must not order for delivery⁶ in any calendar quarter MRO (maintenance, repair and operating supplies) costing more than one-fourth of what he spent for MRO in 1942 (or his fiscal year ending nearest to December 31, 1942).

(2) Seasonal quota. A person engaged in a seasonal business must not order MRO for delivery⁶ in any calendar quarter in an amount more than the amount he spent for MRO in the corresponding quarter of 1942. A person may choose either the seasonal quota explained in this paragraph or the general quota explained in sub-paragraph (1) above, but he may not afterwards change to the other quota without special authorization by the War Production Board.

(3) Quota for new businesses. In the case of a plant or other operating unit which was not in operation during the base periods mentioned in subparagraphs (1) or (2) above, the person operating the plant may take as a quota the amount he spent for MRO during the first quarter of 1943 (or during the part of the quarter the plant was in operation) reasonably adjusted for seasonal or other variable factors. However, he must first notify the War Production Board, in writing, of the base which he is taking, why he

⁵ See also: Direction No. 3: Rating of orders placed before May 16 is not compulsory; Direction No. 5: Farmers are not entitled to use AA-5 rating.

⁶ See also: Direction No. 8: Quota may be determined on a receipt basis.

is selecting that base, and what adjustments he has made. In the case of a plant starting operations after February 28, 1943, MRO may be bought under this regulation in the minimum amounts necessary for operation up to \$5,000 per quarter. If more than this amount is needed, application may be made to the War Production Board as provided in paragraph (f) (8).

(4) When increased quotas can be used as a base. If a person's quota has been increased by specific authorization of the War Production Board pursuant to application, he may continue to operate on the basis of the increased quota. However, if a substantial part of the increase was to take care of an abnormal situation, as for example, where he required a large amount of special tools and equipment in order to produce a new product, he may not use that increased quota as a base.

Note: Former subparagraph (4) deleted Feb. 26, 1944, because obsolete.

(5) How to figure the quota. In figuring his quota, a person must include every expenditure during the base period which he charged to a maintenance, repair or operating supplies account. He must not include any expenditure which was charged to a capital account. In each quarter he must charge against his quota (i) everything he buys for MRO, whether he uses the MRO rating and symbol, or another rating or symbol, or no rating; and (ii) material and products he buys for minor capital additions for which he uses the MRO rating or symbol. (Note, that in deciding whether a single capital addition falls within the cost limits of paragraph (b) (3), the cost of all material and products must be included whether a preference rating, or symbol is used or not). In figuring his quota, a person may at his option exclude the cost of his own labor, or the cost of any item on List A or B of Priorities Regulation No. 3, as long as he excludes cost of such items both from the computation of the quota and from charges against the quota.

(6) Records. Each person who is subject to this paragraph (f) must figure his quota and must keep his computation and supporting work sheets in his files for two years after his last purchase under the regulation. He must indicate on his computation any election which he makes under this paragraph (f), and in the case of paragraph (f) (3) "Quota for new businesses" or (f) (4) "When increased quotas can be used as a base", he must indicate the base which he selects. He must also maintain a record

⁴ See also Interpretation No. 5: Conduct of business includes general offices, branch offices, salesrooms, et cetera.

of his expenditure for a period of not less than two years.

(7) *Treatment of separate plants.* A person who has several plants or other operating units which maintain separate records of maintenance, repair and operating supplies shall treat each of them separately for purposes of complying with the provisions of this paragraph (f).

NOTE: Paragraph (7), formerly (2), redesignated Feb. 26, 1944.

(8) *Applications for increased quota.* In any case where the quota provided in this paragraph (f) is not enough for necessary operations, a person may apply for a larger quota by letter in triplicate sent to the War Production Board, Washington 25, D. C., Reference: CMP Regulation 5, stating the relevant facts.

(9) *Persons who use less than \$5,000 a year worth of MRO not limited.* The quantity restrictions in this paragraph (f) shall not apply to persons whose aggregate requirements of maintenance, repair and operating supplies do not exceed \$5,000 per year.

(10) *Further reports and limitations in special cases.* The War Production Board may, by further regulations or orders, require specified persons or classes of persons to file applications or reports regarding their requirements of maintenance, repair and operating supplies and may prescribe specific quantitative limits for the same, either larger or smaller than the limits provided above in this paragraph (f).

NOTE: Paragraphs (9) and (10), formerly (5) and (6), redesignated Feb. 26, 1944.

(g) *Special provisions for Claimant Agencies, exports and ship repairs.* Maintenance, repair and operating supplies, required either by a Claimant Agency (except for the purposes mentioned in Schedule I or II) or for export, as regular procurement items covered by specific programs, and material required for ship repairs programmed by the Maritime Commission, shall not be obtained under this regulation, but, if they are controlled materials or Class A products, shall be obtained only by the use of allotments in the same manner as production materials under CMP Regulation No. 1, and, if they are other materials or products, shall be obtained only by such preference ratings as may be specifically assigned for the purpose.

(g-1) *Use of customer's or tenant's MRO symbol and rating.* (1) Any person (such as a service repair shop) engaged in the business of doing maintenance or repair work for others may use the same allotment symbol and preference rating (including any allotment symbol or preference rating assigned for MRO by CMP Regulation 5A or any P or U order) to obtain materials needed in the performance of the

work which his customer would be entitled to use if the customer did the work himself. The cost of materials used in the performance of maintenance or repair work shall be treated as expenditures of the customer for the purpose of computing his quantity restrictions under paragraph (f). A person engaged in such business may, instead, request an allotment of controlled materials and a preference rating by applying to the War Production Board on Form CMP-4B, but, if he does so, he must use that method exclusively and may not use a customer's rating or symbol.

(2) A landlord may use his tenant's allotment symbol and rating to obtain maintenance, repair and operating supplies (including controlled materials) for the leased property if the tenant is engaged in the production of a product or in a business listed in Schedule I or II or if the tenant is assigned a rating or symbol for MRO CMP Regulation 5A or by any P or U order; but if the same property is occupied by several tenants and the supplies are not for the exclusive benefit of a single tenant the landlord may only use a tenant's rating if 75 percent or more of the leased property is leased to tenants on Schedule I or II and, in such case, if any are on Schedule II, he can only use the AA-2 rating.

(3) A person who leases equipment to others which he agrees to keep in good order may use either his own or his customer's rating and symbol (regardless of whether the rating is assigned by this regulation or CMP Regulation 5A or any order in the P or U series) to get materials needed to repair and maintain the equipment.

(h) *Restrictions on use of MRO symbol, rating, and materials—*(1) *Use of symbol and rating.* No person shall use the MRO symbol or the preference rating assigned to him by this regulation to get anything except materials which he needs for essential maintenance, repair or operating supplies, or minor capital additions as permitted by paragraph (b) (3). If he is assigned different ratings by this regulation for different businesses and it is practicable to segregate his purchases, he must not use a higher rating to get material for a purpose for which he is assigned a lower rating. If it is not practicable for him to segregate his purchases, paragraph (e) explains what rating he may use.

(2) *Use of material.* If a person has bought material under this regulation for MRO and then finds that he has another use for it, he may use the material for the other purpose if a preference rating or allotment symbol is assigned to him by any certificate or order for that purpose. However, if he uses the material for another use he may not replace it in inventory by use of the rating or symbol assigned by this regulation. If he replaces

it, he must use the rating or symbol assigned for the purpose for which the materials were used. Also, if he uses material bought under this regulation for another use, his records must be adequate to show that his purchases of material are substantially proportionate to his authorized uses. For example, a manufacturer has a rating of AA-2 under this regulation for MRO and also has a rating of AA-3 for a construction project. He may take lumber from his MRO inventory which he bought on the AA-2 rating and use it on the construction job, but if he replaces it in his inventory he must use the AA-3 rating for this purpose, so that he will not, in effect, have filled both his MRO and his construction requirements at the AA-2 rating. Exchanges of this kind may be made only where the material is acquired in good faith for use as MRO. The manufacturer may not use the AA-2 ratings to get lumber if he is getting it specifically for use in the construction project.

(i) *Inventory restrictions.* Nothing in this regulation shall be deemed to authorize any person to receive any delivery of maintenance, repair or operating supplies if acceptance thereof would increase his inventory above a practicable working minimum as provided in § 944.14 of Priorities Regulation No. 1 or would exceed the inventory limitations prescribed for such person by CMP Regulation No. 2, or by any other applicable regulation or order of the War Production Board.

(j) *Additional assistance in individual cases.* Any person requiring maintenance, repair or operating supplies who is unable to obtain them with the rating assigned to him by this regulation, and any person requiring any controlled material for maintenance, repair or operating supplies who is not listed in Schedule I or II and who is unable to obtain it from a warehouse or distributor under CMP Regulation No. 4 may apply to the nearest local office of War Production Board on Form WPB-541 (formerly PD-1A) for a higher rating, or the right to use the MRO symbol to obtain controlled materials. Application for an increase in the quantity of expenditures for maintenance, repair and operating supplies permitted by paragraph (f) of this regulation shall, however, be filed in the manner specified in subparagraph (8) of paragraph (f).

(k) *Effect on other orders and procedures.* (1) The preference ratings and allotment symbols assigned by this regulation may be used by any person, unless he is engaged in an activity or business which is covered by an order in the P or U series which specifically provide that the ratings assigned by CMP Regulation No. 5 may not be used.

(2) [Deleted Feb. 26, 1944]

(3) [Deleted Feb. 26, 1944]

(4) When an order in the "E", "L" or "M" series assigns a specific preference rating to deliveries of any particular material to be used by a particular industry or for a specific purpose, such preference rating shall control and the preference ratings hereby assigned may not be applied.

NOTE: Remainder of paragraph (k) (4) deleted Feb. 26, 1944.

(5) Nothing in this regulation shall be construed to relieve any person from complying with any applicable priorities regulation or order of the War Production Board (including orders in the "E", "L" and "M" series) or with any order of any other competent authority.

(1) *Industry reclassification.* Any person who is of the opinion that the business activity in which he is engaged should be listed in Schedule I, if it is listed in Schedule II, or should be listed in either Schedule I or Schedule II, if it is not listed in either of such schedules, may apply to have such activity so listed by filing a letter, in triplicate, with the appropriate Industry Division setting forth the relevant facts and the reasons why he considers such request should be granted.

The War Production Board may cause such activity to be listed in one of the schedules attached to this regulation or, in special cases, may permit the applicant to operate under this regulation to the same extent as though his business activity were included in one of such schedules.

(m) *Records.* Each person acquiring maintenance, repair or operating supplies pursuant to this regulation shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) *Communications.* All communications concerning this regulation should be addressed to: War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 5.

(o) *Restriction on use of ratings.* The preference rating assigned by this regulation cannot be used to get any of the items shown on List A or B of Priorities Regulation No. 3.

(p) *Penalties for misrepresentation.** The placing of any order bearing a certification or symbol as provided by this regulation shall constitute a representation, subject to the criminal penalties of section 35 (A) of the United States Criminal Code (18 U. S. C. 80), that the person placing the order is entitled, under the terms of this regulation to use of the symbol or preference rating indicated thereon.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

*Formerly paragraph (h) (1).

SCHEDULES

Preference Rating AA-1 may be used for MRO by those businesses listed with the numeral "I", AA-2 by those with "II", others use AA-5 (paragraph (d)).

Manufacture of the following products:

Unfabricated and semi-fabricated metal products

Schedule

- I Ferro-allöys (except producers to whom serial numbers have been issued under Order P-68).
- I Iron products including pig iron, pipe, wire, wrought iron and foundry products (except producers to whom serial numbers have been issued under Order P-68).
- I Non-ferrous metal and non-ferrous metal alloy unfabricated and semi-fabricated products, including castings, ingots, shot, bar, forgings, sheet, strip, tubing, extrusions and wire and wire products.
- I Steel rolling mill and foundry products, including semi-finished steel, bars, pipe, plates, sheets, strip, castings, forgings, structural shapes, piling, tin plate,terne plate, black plate, tubing, rails, track accessories, wheels, tires, axles, wire and wire products (except producers to whom serial numbers have been issued under Order P-68).

Intermediate metal products

- I Bearings, ball and roller.
- I Bolts, nuts, rivets, washers, screws and pins.
- I Bushings, journal bearings and sleeve bearings.
- I Crankshafts.
- I Cylinders, hydraulic actuating.
- I Fittings, pipe.
- I Gaskets, packings and grease retainers.
- II Metal stampings.
- I Nails, brads, staples and tacks.
- I Pipe, fabricated.
- I Plate, fabricated (steel).
- I Railroad frogs, switches and crossings.
- I Screw machine products.
- I Springs.
- II Strapping, metal, round and flat (including seals).
- I Structural steel (fabricated).
- I Tanks, metal storage.
- I Tubing and hose, flexible (metallic).
- I Valves.

Chemical products

- I Chemicals and allied products for industrial and military use (excluding automobile body polish and top dressing; candles; cleaning and polishing preparations for metal, leather, floors and furniture; household dyes; ink and ink eradicators; incense; toiletries and cosmetics, perfumes, powders and creams, manicure preparations, hair dressings, dyes, shampoos and tonics; dentrifices and depilatories).
- I Colors and pigments.
- I Drugs, medicinals, pharmaceuticals and biologicals.
- II Dry cleaning preparations.
- I Paints, varnishes and lacquers.
- II Printing ink.
- II Soap, soap chips, flakes and powders.

General industrial equipment

- I Air conditioning and refrigeration equipment; industrial and commercial.

General industrial equipment—Continued

Schedule

- I Boilers, 100 lbs. pressure and over.
- II Boilers, below 100 lbs. pressure.
- II Bottling machines.
- I Condensers: steam, surface, jet and barometric.
- I Control valves and regulators, industrial type.
- I Conveyors and conveyor systems.
- I Cranes, hoists, winches and derricks.
- II Dust collecting equipment, industrial.
- I Fans, blowers and exhausters, excluding propeller type and commercial ventilating fans.
- I Furnaces and ovens, industrial.
- I Heat exchangers, as defined in official CMP B Product List.
- I Instruments, industrial types.
- I Lubricating equipment, industrial.
- I Metal working machinery, equipment, attachments and accessories; including machine tools, bending, die casting, die molding, extruding and forging machines; foundry machinery, equipment and supplies; heat treating equipment; hydraulic and mechanical presses; rolling mills and allied equipment; shears, punches and nibblers; welding equipment and apparatus; wire drawing and wire-working machinery; diamond dies; metal cutting tools; and welding rods and electrodes.
- I Meters, gas and water.
- II Packaging machinery; including packaging machines, bag filling and closing machines, case packers and case sealing machines, wrapping machines.
- I Power transmission equipment, mechanical and hydraulic.
- I Pulverizers, coal.
- I Pumps.
- II Presses, balling.
- I Pressure vessels, as defined in official CMP B Product List.
- I Compressors and dry vacuum pumps.
- I Safety equipment, industrial.
- II Sewing machines, industrial.
- I Speed changers.
- II Spraying equipment, industrial.
- I Stokers.
- I Trucks and tractors, industrial; hand and power operated.
- I Tube cleaners and expanders.
- I Turbo-blowers and turbo-exhausters.
- II Vacuum cleaners, industrial.

Special industry machinery

- II Automotive maintenance equipment.
- II Broom, brush and mop making machinery.
- I Ceramics manufacturing machinery.
- I Chemicals producing machinery.
- II Cooperage machinery.
- II Cotton ginning, compressing and delinting machinery.
- II Distillery machinery (except beverage).
- I Drilling equipment, oil field, including rigs and accessories.
- I Drilling machinery, water well.
- I Drug and pharmaceutical machinery.
- I Dry kilns and redriers for wood treatment.
- I Fertilizer machinery and equipment.
- II Food and food processing machinery and equipment, except food dehydration machinery.
- I Food dehydration machinery.

*Special industry machinery—Continued**Schedule*

- I Gas generating, conditioning and gas producing equipment and apparatus.
- I Glass container making machinery.
- I Glass making machinery.
- II Hemp, flax and similar fibre decortivating machinery.
- II Leather working machinery.
- I Logging and sawmill machinery and equipment.
- II Metal container and closure making machinery.
- I Mining machinery and equipment.
- I Oil machinery and equipment: animal, fish, vegetable.
- I Ore milling machinery and equipment.
- II Optical and ophthalmic goods making machinery.
- I Paint and varnish making machinery.
- II Paper and fiber container making machinery.
- II Papermill, pulp mill and paper products machinery.
- I Petroleum refinery machinery and equipment.
- I Plastics molding machinery.
- II Printing trades machinery and equipment.
- I Rubber working and tire making, retreading, recapping and repairing machinery.
- II Sewer cleaning machinery and equipment.
- I Smelting and refining equipment.
- I Stone products manufacturing machinery.
- II Textile machinery.
- I Water conditioning equipment.
- II Wood boxmaking machinery.
- I Woodworking machinery.
- II Special industry machinery not elsewhere listed, excluding tobacco manufacturing machinery and equipment and cosmetics machinery.

Construction machinery and equipment

- I Drilling and boring machinery, earth and rock.
- I Power cranes and shovels, draglines, buckets, stiff-leg derricks, and dredges.
- I Scrapers, maintainers and graders.
- I Tractors, track-laying and wheel types.
- I Tractor mounted construction equipment, including angle-doers, bull-doers, and power control units.
- I Winches and hoists, contractors elevating.
- II Other construction machinery and equipment, not elsewhere listed.

Military type products

- I Aircraft, including airframes, engines, propellers, instruments, components, maintenance, and concurrent spares, and air borne equipment.
- I Airplane landing mats.
- I Ammunition.
- I Ammunition boxes and chests.
- I Ammunition and explosive loading machinery and equipment.
- I Artillery, including railway and seacoast.
- I Barrage balloon equipment.
- I Bombs, depth charges, mines and torpedoes.
- I Combat tanks and parts, including engines.
- I Communication equipment, military.
- I Explosives.

*Military type products—Continued**Schedule*

- I Fire control and other combat instruments.
- II insignia, military.
- I Machine guns, ground and hand arm.
- I Motor cycles, side cars and parts, including power cycles.
- I Motor vehicles, military, including armored cars, scout cars, half-trucks and other military motor vehicles, including bodies, engines, parts and accessories.
- I Naval armament and weapons.
- I Navigation instruments.
- I Pyrotechnics, including flares and signals.
- I Radio and radar equipment and components.
- I Safety equipment, military, including masks, inhalators, rescue breathing apparatus, goggles, helmets, protective clothing and footwear, and decontamination apparatus.
- I Searchlights, anti-aircraft.
- I Ships, vessels, and other watercraft, including elevators, turbines, engines, equipment and parts.
- I Tanks and anti-tank armament and weapons.
- I Weapons, anti-aircraft.
- I Weapons, not elsewhere listed.
- II Products for military use not elsewhere listed.

Electrical products

- I Anodizing equipment.
- I Batteries, dry cell.
- I Batteries, storage.
- II Bells, buzzers, chimes, gongs, horns and other sound signalling devices (electric).
- I Capacitors.
- I Carbon brushes.
- I Cut-outs and fuse links, electric (heavy duty).
- II Electric appliances, commercial and domestic, all types.
- I Electrical apparatus for internal combustion engines.
- I Electrical connectors.
- I Electroplating equipment.
- II Flashlight cases.
- I Fuses.
- I Infra-red heating and drying equipment.
- I Instruments, electrical measuring.
- II Lamp bulbs and tubes, except aircraft.
- II Lamps and lanterns.
- I Lighting equipment and accessories, aircraft, airport and marine.
- II Lighting equipment and accessories other than aircraft, airport and marine.
- II Lighting fixtures.
- I Magnets, electrical lifting.
- I Motor controls and control equipment.
- I Motors, generators and motor generator sets.
- I Physio-therapy apparatus.
- I Pole-line hardware and insulators.
- I Rectifiers, mercury arc.
- I Regulators.
- I Searchlights and floodlights.
- I Sparkplugs.
- II Street and highway traffic control signals and controllers.
- I Switchgear, panel and distribution boards.
- I Synchronous condensers and frequency changers.
- I Transformers.
- I Tubes, electronic and rectifier.
- I Wire and cable, insulated.
- I Wiring devices and conduits (electric).
- I X-ray apparatus and tubes.

*Engines, turbines and generator sets**Schedule*

- I Engines, internal combustion, and accessories.
- I Engines, steam.
- I Generator sets.
- I Turbines.
- Communication equipment*
- I Alarm and signal systems, protective.
- I Radio equipment and components.
- I Wire communication equipment.
- I Other communication equipment.
- Transportation equipment*
- I Bicycles.
- I Brakes, air, and airbrake actuating mechanism.
- I Hardware, transportation equipment.
- I Locomotives, railroad; parts and accessories.
- I Motor vehicles, bodies, engines, parts and accessories, nonmilitary; including buses, motorized fire apparatus and automobile trailers for attachment to passenger cars.
- I Railroad cars, parts and accessories.
- I Railroad and transit maintenance-of-way equipment.
- I Railroad and transit signal equipment.
- I Railroad and transit track equipment.
- I Street and rapid transit cars, parts and accessories.
- II Wagons, carts, sleds, sleighs and other non-motorized vehicles.

Building materials

- I Asbestos building materials.
- II Asphaltic building products.
- II Building mesh.
- II Cement, Portland.
- II Concrete building products.
- II Doors and windows.
- II Gypsum building products.
- I Hard board.
- II Hardware, builders.
- II Metal moulding and trim.
- II Mineral wool, industrial.
- II Plumbing fixtures, fittings and trim, and sanitary ware.
- II Radiators, convectors and blast heating coils.
- II Screen cloth.
- II Sheet metal building products.
- II Structural insulation and fibre board.
- II Weatherstripping.
- II Wire fence, posts and gates.
- II Products for structural use not elsewhere listed.

Miscellaneous products

- I Abrasive products.
- I Agricultural machinery, implements and equipment, excluding farm and garden hand tools.
- I Asbestos textiles.
- II Baby carriages and similar equipment.
- II Bag and bale ties.
- II Beds, bedsprings and mattresses.
- II Bells, gongs and other non-electric signalling devices.
- I Blast detonating equipment, industrial.
- I Blue printing developing and drying machines.
- II Brooms, brushes, mops.

* See also Interpretation 10: Other products includes light weight aggregates, ready mixed concrete and ready mixed bituminous cement; and Direction 14: Manufacturers of roll roofing, shingles and corkboard may use MRO symbol to buy steel nails.

Miscellaneous products—Continued

Schedule	
I	Buoys.
II	Burners, gas, oil and combination.
I	Carbon products, industrial.
II	Caskets, coffins, burial cases and vaults.
II	Ceramic and clay products.
I	Chains.
II	Church goods.
II	Clocks and watches, including chronometers, except aircraft.
II	Closures, all types.
I	Coke and coke oven by-products (except producers to whom a serial number has been issued under Order P-68).
II	Containers: all types except fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates.
I	Containers; fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates only.
I	Cooking stoves and ranges, domestic, including laundry stoves, hot plates, and portable ovens.
I	Cooking equipment, commercial.
II	Cork products.
II	Cutlery.
II	Dishwashing machinery, commercial.
II	Elevators and escalators.
II	Fans, ventilating (commercial).
II	Findings, apparel and shoe.
I	Fire extinguishers, carbon dioxide.
II	Fire protection equipment, including portable and fixed fire extinguishers and systems other than carbon dioxide types; stirrup pumps; automatic sprinkler systems; fire hose, hose dryers, racks, reels and related products; and fire hydrant indicator posts and stand pipe equipment.
I	Fishing equipment, commercial.
II	Floor coverings, linoleum and felt base.
II	Floor finishing and floor maintenance machines, as defined by WPB Order L-222.
II	Food preparation and serving fixtures, equipment and appliances, commercial.
II	Furniture.
I	Glass products: fibrous glass products for military, industrial and structural use, and technical glass for military and industrial use.
II	Glass Products: not elsewhere listed, excluding mirrors.
II	Hairpins, bob pins and hair curlers.
II	Hardware, not elsewhere listed.
I	Heating equipment (except electric) including heating system controls and hot water equipment.
II	Hooks and eyes, slide and snap fasteners, buckles, buttons and miscellaneous apparel findings.
II	Houses, mobile and prefabricated.
I	Ice.
II	Identification badges, emblems, pin tickets, plates, tags not military.
I	Instruments, apparatus, equipment, supplies and appliances; dental.
I	Instruments and apparatus; laboratory.
I	Instruments and equipment; engineering (including surveyors' drawing and mathematical).
I	Instruments and apparatus; analytical and industrial testing.
I	Instruments, equipment, supplies; surgical and medical, including orthopedic appliances.

Miscellaneous products—Continued

Schedule	
I	Instruments and lenses; optical.
II	Instruments; musical.
I	Jewel bearings.
II	Kitchen, household and other miscellaneous articles, as defined in WPB Order L-30.
II	Lamps and lanterns, non-electric.
II	Laundry, dry cleaning and pressing machinery, commercial.
II	Laundry machinery, domestic.
II	Lawn mowers, hand and power.
II	Leather and leather products.
I	Lenses and instruments; optical.
II	Loose leaf binders.
II	Morticians' goods.
II	Needles.
II	Office machinery.
II	Office supplies, including marking devices.
II	Ophthalmic goods.
II	Pens and pencils.
I	Photographic equipment, apparatus and materials, excluding projection apparatus.
II	Phonographs, parts, records and needles.
II	Pins, common and safety.
I	Plastic products: moulding and laminating.
II	Projection apparatus.
II	Pulp and paper and paper products.
II	Razors and blades.
I	Refractories.
I	Refrigerators and parts (domestic).
II	Rope.
I	Rubber and rubber products.
II	Scales and balances, industrial and commercial.
I	Sensitized film and paper.
II	Sewing machines.
II	Textiles and clothing.
II	Time stamps and recording devices.
II	Tools, farm and garden, edge and hand.
I	Tools; including edge tools, hand tools, mechanics hand service tools, gauges and machinists precision measuring tools, files and rasps; excluding farm and garden edge and hand tools.
II	Traps and cages, animal.
II	Unit heaters and unit ventilators.
II	Vitreous enameled products.
II	Wood products.
II	Products for military, industrial and structural use not elsewhere listed.

Conduct of the following businesses or activities

Schedule	
II	Cotton ginning and compressing.
II	Construction.
I	Detinning.
II	Drainage and irrigation.
I	Electrical and mechanical repair shops for industrial, commercial and agricultural equipment; and public, industrial and commercial transportation equipment. ⁸
I	Electro-plating, galvanizing and other metal treating and finishing.
II	Engraving on metal.
I	Fabricating and rifling mica.
I	Feed and grain (stock and poultry) processing and storage.
I	Fishing, commercial.
II	Hemp, flax, and similar fiber decoration.

⁸ See also Interpretation No. 6: Public transportation means common carriers: Direction No. 10: Welding rods for service repair shops.

Conduct of the following businesses or activities—Continued

Schedule	
I	Industrial food manufacturing, processing, packaging, preservation and storage, (except soft drink and alcoholic beverages, and chewing gum). Restaurants, hotels, retail stores, and farms are not included in this category. ⁹
I	Logging operations, sawmills, veneer mills, plywood mills, planing mills, shingle mills, and dry kilns operated in connection with sawmills.
I	Military and Naval establishments: camps, posts, bases, stations, air fields and depots.
II	Motion picture production.
I	Operation of ships, vessels and other craft, except pleasure vessels. ¹⁰
II	Printing and publishing, including blueprinting and allied reproduction.
I	Public utilities; gas, light, power, water and central heating and sanitation (except producers as defined in Utilities Order U-1).
I	Public transportation, terminal and dock facilities, including stevedoring. ¹¹
I	Petroleum and natural gas production, transportation, refining and marketing (except to the extent covered by P-98 (b)).
II	Refrigeration (commercial) other than food.
II	Scrap salvage, sorting and processing.
I	Seed processing, packaging, preservation and storage.
I	Ship repair and maintenance.
I	Slag recovery and disposal.
I	Smelting and refining (except producers to whom a serial number has been issued under P-73).
II	Solid fuel distribution and marketing including only those dealers with equipped yards (a dealer with an equipped yard is one who regularly maintains storage and sorting facilities as a part of his own operations, and loading, carrying and other machinery for handling and weighing).
II	Tire and tube recapping, retreading and vulcanizing.
I	Vegetable oil extraction.
II	Warehousing, metal.
II	Warehouses: public: dry and open storage.
I	Warehouses, refrigerated; perishable food products.
I	Wire communications industries (except operators as defined in Utilities Orders U-3 and U-4).

List of directions 1 through 17 to OMP Regulation No. 5 as revised:

- (1) How to Obtain Aluminum Pattern Equipment under OMP.
- (2) Steel Shoe Wire.
- (3) Rerating not Compulsory—Obsolete.
- (4) Stitching Wire for the Printing and Publishing Industry.
- (5) Farmers.
- (6) Ships of Friendly Foreign Nations.
- (7) Welding Rod.
- (8) Determining Quantity Restrictions on a Receipt Basis.

⁹ See also Interpretation No. 7 relating to distribution of food products.

¹⁰ See also Direction No. 6: ships of friendly foreign nations.

¹¹ See also Interpretation No. 6: Public Transportation means common carriers.

- (9) Hand Tools Purchased by Employees—Revoked December 20, 1943. Covered by Direction 4 to Priorities Regulation No. 3.
- (10) Welding Rod for Repair Shops—Revoked January 28, 1944. Covered by CMP Regulation No. 9A.
- (11) Safety Equipment Purchased by Employees—Revoked December 20, 1943. Covered by Direction 4 to Priorities Regulation No. 3.
- (12) Rerating not Compulsory—Obsolete.
- (13) Quota and Expenditure Records—Revoked February 26, 1944. Superseded by paragraphs (f) (5) and (f) (6).
- (14) Use of MRO Symbol by Manufacturers of Roll Roofing, Shingles and Corkboard.
- (15) Use of MRO Symbol and Rating to Buy Installation Materials where Authorization to Construct is not Required under L-41.
- (16) Broom Wire.
- (17) Motion Picture Theaters.

INTERPRETATION 1

(NOTE: List A has been supplanted by List B of Priorities Regulation No. 3. Reference should be made to the items listed there.)

Office supplies are not included in List A of CMP Regulation No. 5 and consequently the procedures provided by the regulation may be used to obtain such supplies provided they do not come within the following categories which are specifically mentioned in List A:

Item

- 2. Printed matter and stationery. This refers only to printed matter and items such as letterheads, envelopes and forms.
- 3. Paper, paperboard, and products manufactured therefrom; molded pulp products.
- 5. Office machinery or office equipment.

Safety shoes are included in List A of the regulation and consequently the procedures provided by the regulation may not be used to obtain them. Safety shoes are not included among the items constituting exceptions to item 6 of the list. (Issued April 5, 1943.)

INTERPRETATION 2

A person who is permitted to get controlled materials under paragraph (c) (1) of CMP Regulation No. 5 for maintenance, repair and operating supplies is not entitled to use the MRO symbol for purposes of allotting controlled materials to others. For example, a manufacturer of a product listed in Schedule I or Schedule II of the regulation requires a spring as a repair part. He may use the MRO symbol to place an authorized controlled material order for steel which he will fabricate into the spring which he requires, but if he buys the spring from a spring manufacturer, he may not make an allotment with the MRO symbol to the spring manufacturer. The spring manufacturer receives his allotment direct from the War Production Board as provided in paragraph (k-1) of CMP Regulation No. 1. (Issued April 20, 1943.)

INTERPRETATION 3

NOTE: Interpretation 3 superseded by subsequent amendments.

INTERPRETATION 4

NOTE: Interpretation 4 was revoked Nov. 19, 1943.

INTERPRETATION 5

GENERAL OFFICES, BRANCH OFFICES, SALESROOMS, ETC.

The ratings and symbol assigned by CMP Regulation No. 5 to a particular business may be used to obtain maintenance, repair and operating supplies for general offices, branch offices, salesrooms and other facilities essential to the conduct of the business. (Issued May 20, 1943.)

INTERPRETATION 6

COMMON CARRIERS

Persons engaged in "public transportation" are included in Schedule I of CMP Regulation No. 5. This term includes any person who holds himself out to the general public as engaged in transportation, regardless of how he is classified under any Federal or State statute. Any person who would be considered a common carrier under common law is included within the term.

A private or contract carrier is not included. (Issued May 20, 1943.)

INTERPRETATION 7

MANUFACTURE AND DISTRIBUTION OF FOOD PRODUCTS

(a) "Industrial food manufacturing, processing, packaging, preservation and storage" is included in Schedule I of CMP Regulation No. 5 and persons engaged in such occupation are entitled to use a rating of AA-1 and the MRO symbol in purchasing maintenance, repair and operating supplies needed in connection with the conduct of their business.

(b) Distribution of food products, as distinct from their production, does not constitute industrial food manufacturing or processing under Schedule I and is not included elsewhere in Schedule I or II of the regulation. Persons engaged in selling food products which they do not produce are only entitled to use the AA-5 rating to obtain maintenance, repair and operating supplies for their business.

(c) In those cases where a person is engaged in both producing and distributing food products he may, under paragraph (c) of the regulation, obtain his entire maintenance, repair and operating supply requirements at the rating assigned to the principal activity in which he is engaged where, and only where, it is impracticable to apportion requirements to his several activities. (Issued May 27, 1943.)

INTERPRETATION 8

CAPITALIZED REPAIRS

Products or materials needed for repairs or replacements which are capitalized cannot be obtained under CMP Regulation No. 5 [§ 3175.5] except to the extent permitted by paragraph (b) (3) of the regulation relating to minor capital additions costing less than \$500. (Issued July 17, 1943.)

INTERPRETATION 9

RELATIONSHIP BETWEEN CMP REGULATION NO. 5 AND CONSERVATION ORDER L-41

(a) Order L-41 requires War Production Board authorization before beginning any construction work except in those cases where the order expressly states that authorization is not necessary.

(b) CMP Regulation No. 5 (§ 3175.5) may not be used to get materials or products for any construction work of the type which requires authorization under Order L-41, unless the authorization specifically says that CMP Regulation No. 5 may be used.

(c) In those cases where specific War Production Board authorization is not required

before beginning construction, and where the materials needed for the construction cost no more than \$500, CMP Regulation No. 5 may be used to buy materials and products needed for the construction. (Issued July 29, 1943.)

INTERPRETATION 10

CONCRETE AND AGGREGATES

The term "products for structural use not elsewhere listed" appearing under "Building Materials" on Schedule II of CMP Regulation No. 5 includes light-weight aggregates, ready-mixed concrete and pre-mixed bituminous concrete. (Issued Nov. 9, 1943.)

[F. R. Doc. 44-2770; Filed, February 26, 1944; 11:33 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 13, Revocation]

Direction 13 to CMP Regulation No. 5 is hereby revoked. The provisions of the direction are included in paragraph (f) of CMP Regulation No. 5 as amended February 26, 1944.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2771; Filed, February 26, 1944; 11:33 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 9A, Direction 2]

USE OF MATERIAL TO INSTALL EQUIPMENT

The following direction is issued pursuant to CMP Regulation 9A.

(a) A repairman may use only up to \$25 worth of material purchased under CMP Regulation 9A to install any unit of cooking, plumbing, heating, or used air-conditioning or refrigeration equipment.

(b) If a new air-conditioning or refrigeration system has been authorized under the provisions of Order L-38, and authorization to construct under L-41 has been granted if necessary, a repairman may use up to \$250 worth of material purchased under CMP Regulation 9A to install the new system.

(c) This direction does not increase the amount of material which a repairman can buy under CMP Regulation 9A.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2772; Filed, February 26, 1944; 11:33 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Limitation Order L-237, as Amended Feb. 26, 1944]

LIGHT POWER DRIVEN TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account, and for export, of light power driven tools and materials entering

into the production thereof; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.26 *General Limitation Order L-237—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Producer" means any person engaged in the production, manufacture, or assembly of light power driven tools.

(3) "Supplier" means any person (other than a producer) whose business consists in whole or in part of the sale, distribution, or transfer from stock or inventory of light power driven tools; "supplier" includes wholesalers, distributors, jobbers, dealers, retailers, branch warehouses or other distribution outlets controlled by producers and other persons performing a similar function.

(4) "Light power driven tool" means any new power driven tool, whether powered by electric motor, belt drive, or pneumatic or hydraulic means, listed on Schedule A hereof, as amended from time to time, irrespective of the use for which it is designed, or the use to which it may be put, whether for the working of metals, wood or any other substance, which power driven tool had a producer's list price on October 15, 1942, of \$350 or less; exclusive, however, of floor finishing, floor maintenance and floor sanding machines as defined in General Limitation Order L-222 and exclusive of portable tools, and exclusive of automotive maintenance equipment as defined in Limitation Order L-270.

(5) "Portable tool" means any light power driven tool which in the course of normal use is lifted, held and operated by not more than two persons.

(6) "Producer's list price" means the sale price at which the producer's catalogue or other price publication listed the light power driven tool. If the producer manufactures a light power driven tool for a particular supplier and does not list the tool in his catalogue or other price publication, the producer's list price shall be the price listed by the supplier in his catalogue or price publication. In either case the price shall be exclusive of the motor, motor drive, or any attachments for the tool unless these are initially built into the basic tool itself as an integral part thereof, in which case the "producer's list price" shall mean the sale price at which the producer or supplier listed the light power driven tool as an assembled unit.

(b) *Restrictions.* (1) Beginning with March 1944 no producer shall fabricate or assemble during any calendar month more light power driven tools by dollar value (producer's list price less maximum published discount) than 50% of the quantity by invoiced dollar value shipped by him during the second and third preceding months. For example,

the dollar value of production in March taken at the producer's list price less his maximum published discount cannot exceed 50% of the invoiced dollar value of shipments in December and January. However, a producer may exceed this limit to the extent necessary to permit him to fill specific purchase orders rated AA-5, or higher, actually received by him.

(2) No producer or supplier shall sell, transfer or deliver to any person any light power driven tool except on orders bearing a preference rating of AA-5 or higher: *Provided, however,* That the provisions of this paragraph (b) (2) shall not apply to the sale, transfer or delivery of any light power driven tool by one supplier to another supplier.

(3) [Revoked Feb. 26, 1944]

NOTE: For restriction on the use of blanket MRO ratings for certain types of light power driven tools see List B of Priorities Regulation No. 3.

(4) No supplier shall accept delivery of any light power driven tool which will increase his inventory of that size and type of tool (irrespective of manufacturing make) beyond five in number; and no producer or supplier shall deliver or cause to be delivered to any supplier any light power driven tool which the delivering producer or supplier knows or has reason to believe will increase the receiving supplier's inventory of that size and type of tool (irrespective of manufacturing make) beyond five in number. However eight units of each size and type shall be the limit of a supplier's inventory if the supplier is located in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma or Texas.

(5) The prohibitions and restrictions imposed by this order on sales, transfers, and deliveries shall apply to sales, transfers, or deliveries from one branch, division or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control; and the delivery and inventory restrictions of paragraph (b) (4) hereof shall apply separately to each branch, division, or section of a single enterprise under common ownership or control.

(c) *Inapplicability of other orders.* Light power driven tools covered by this Order L-237 are specifically excluded from General Preference Order E-1-b as amended March 8, 1943. Producers who produce both light power driven tools under Limitation Order L-237 and machine tools under General Preference Order E-1-b must conform to the applicable provisions of each order, unless otherwise specifically directed by the War Production Board.

(d) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions

of the regulations of the War Production Board as amended from time to time.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref: L-237.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Items "Arbor saws * * * *"
"Power arbor presses" deleted, Feb. 26, 1944.

LIGHT POWER DRIVEN TOOLS FOR WORKING OF METAL, WOOD, OR OTHER SUBSTANCES

Band saw machines (excluding woodworking only of 17" wheel diameter and larger).
Table saws (excluding woodworking only larger than 12" blade diameter or 2 H. P.)
Single spindle drill presses, including drill press heads—bench and floor types.
Multiple spindle drill presses, including drill press heads—bench and floor types.

Radial drills.

Tapping machines.

Shapers, ram type.

Shapers, vertical spindle (excluding woodworking only 3 H. P. or larger).

Milling machines—bench and floor types.

Grinders and buffers—bench and floor types as follows:

General purpose, including drill grinders,

but excluding belt driven bench grinders.

Carbide tool.

Surface grinders, including tool, cutter

and chip breaker types.

Cylindrical grinders.

Tool post grinders.

Disc (disk) grinding and finishing machines.

Saw grinders.

Tap grinders.

Abrasive belt finishing machines.

Cutoff machines, including radial (excluding woodworking only).

Hack saw machines.

Lathes, bench and floor types as follows:

Engine.

Metal spinning and woodworking, excluding those designed for woodworking only.

Polishing and buffing.

Flexible shaft machines.

Pipe and bolt threading machines.

Scroll and jig saws.

Jointers.

Routers (excluding woodworking only over 2 H. P.).

Filing machines.
Honing machines.
Lapping machines.
Polishing heads, excluding belt driven bench models.

[F. R. Doc. 44-2773; Filed, February 26, 1944;
11:38 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-236, Schedule III, as
Amended Feb. 26, 1944]

MARINE FITTINGS HARDWARE

§ 3284.84 *Schedule III to Limitation Order L-236*—(a) *Definitions*. For the purposes of this schedule:

(1) "Producer" means any person who forges, manufactures, fabricates, or assembles marine fittings hardware as defined in paragraph (a) (2) of this schedule.

(2) "Marine fittings hardware" means turnbuckles, shackles, thimbles, rope sockets, hooks, cleats, and chocks, as listed in Tables I through VII of this schedule.

(b) *Simplified practices*. After February 26, 1944, no producer shall manufacture, fabricate or assemble items of marine fittings hardware listed in Tables I through VII of this schedule which fail to conform with the sizes, types, grades and provisions set forth in those tables.

(c) *Exceptions*. The provisions of this schedule do not apply to:

(1) Parts manufactured for repair of marine fittings hardware.

(2) Marine fittings hardware manufactured, fabricated or assembled to fill a contract for the Army, Navy, Maritime Commission or War Shipping Administration, provided such contract for marine fittings hardware was executed prior to October 14, 1943.

(3) Marine fittings hardware manufactured, fabricated or assembled in establishments wholly owned and operated by the Navy.

(4) Marine fittings hardware specially designed and constructed for use on or operation of lifeboats, lifeboat equipment or lifelines.

(5) Marine fittings hardware specially designed and constructed for use on or operation of aircraft or underwater craft.

(6) Turnbuckles, rope sockets or rope thimbles less than 1/4 inch in size.

(7) Turnbuckles specially designed and constructed for use on radio antenna.

(8) Hooks manufactured for attachment as an integral part of a chain hoist, electric hoist or tackle block.

(9) Hoist hooks larger than sizes 15 or 35 and grab or slip hooks larger than 1" size.

(10) Chocks larger than 18" length.

(d) *Permitted finishes*. Finish of marine fittings hardware may be galvanized, lead coated, painted or self-colored.

(e) *Restriction on marine fittings hardware for pleasure boats*. No producer shall manufacture any marine fittings hardware designed for use on pleasure boats.

Issued this 26th day of February, 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

TABLE I—FORGED, FABRICATED AND PIPE
TURNBUCKLES

Forged and pipe turnbuckle bodies may be made with either round or hexagon ends. Pipe turnbuckles shall not be made with hexagon body.

Turnbuckles up to and including 3/4" diameter may be equipped only with eyes, jaws, open hooks, sister hooks and stubs or combinations thereof. Turnbuckles 7/8" diameter and larger may be equipped only with eyes, jaws and stubs or combinations thereof.

(1) *Open type turnbuckles (forged or fabricated)*. The following sizes only may be manufactured. Sizes are the amount of take-up in inches and the diameter in inches of end fittings.

Takeup (inches):	Diameter (inches)
4-----	1 1/2
4 1/2-----	5/8
5-----	1 1/2
6-----	3/8, 1/2, 3/4, 1, 1 1/8, 1 1/4
9-----	1/2, 5/8, 3/4
12-----	1/2, 5/8, 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 2
18-----	3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/2, 3
24-----	1, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/2, 3
36-----	2, 2 1/2
48-----	2 1/2, 3, 3 1/2

(2) *Pipe turnbuckles*. The following sizes only may be manufactured. Sizes are the diameter in inches of the end fittings. 1/2, 5/8, 3/4, 1, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/2, 3.

(3) *Turnbuckle bodies*. Turnbuckle bodies (without fittings) may only be manufactured in the sizes specified for open type turnbuckles and in addition the following sizes. 6 inch takeup—1 3/4, 1 1/2, 1 1/8, 1 1/4, 1 1/2, 2, 2 1/2, 2 3/4, 2 1/2, 2 3/8, 2 3/4, 3, 3 1/4, 3 1/2 and 4 inch diameters.

9 inch takeup—3 1/4, 3 1/2, 4, 4 1/2, 5 and 5 1/2 inch diameters.

Exception. Special types and sizes of turnbuckles may be made for use by the Navy if approval is given by the Chief of the appropriate Navy Bureau, the Supervisor of Shipbuilding of the Navy or the Inspector of Naval Materials.

TABLE II—FORGED SHACKLES

Oval pin shackles may be made for Army, Navy and Maritime Commission use only. The following types and sizes only may be manufactured. Sizes are the diameter in inches of the body stock in the bow of the shackle.

Screw pin, round pin and oval pin anchor shackles. 1/4, 5/16, 3/8, 1/2, 5/8, 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/4, 2 1/2, 3, 3 1/4, 3 1/2.

Bolt anchor shackles. 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/4, 2 1/2.

Screw pin, round pin and oval pin chain shackles. 1/4, 5/16, 3/8, 1/2, 5/8, 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/4, 2 1/2, 3, 3 1/4, 3 1/2.

Bolt chain shackles. 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/4, 2 1/2, 3, 3 1/4, 3 1/2.

Exception. Special types and sizes of shackles may be made for use by the Navy if approval is given by the Chief of the appropriate Navy Bureau, the Supervisor of Shipbuilding of the Navy or the Inspector of Naval Materials.

TABLE III—ROPE THIMBLES

The following sizes only may be manufactured. Sizes are the width of the rope channel in inches.

Thimbles for Manila rope. 1/4, 5/16, 3/8, 1/2, 5/8, 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 2, 2 1/4, 2 1/2, 3, 3 1/2, 4.

Thimbles for wire rope. 1/4, 5/16, 3/8, 1/2, 5/8, 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/4, 1 3/8, 2, 2 1/2, 3, 3 1/2, 4.

Heavy towing thimbles. 2 1/2, 3, 3 1/2, 4.

TABLE IV—ROPE SOCKETS

The following sizes only may be manufactured. Sizes are for the accommodating rope diameter in inches. 1/4, 5/16, 3/8, 1/2, 5/8, 3/4,

3/4, 7/8, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/8, 1 3/4, 1 3/2, 2, 2 1/8, 2 1/4, 2 1/2, 2 3/8, 2 3/4, 2 3/2, 3.

TABLE V—FORGED HOIST, GRAB AND SLIP HOOKS

Eye hoist hooks may be equipped with thimbles of the sizes permitted in Table III. Shank hoist hooks may be equipped with swivel eye. All hoist hooks may be equipped with safety device. The following sizes only may be manufactured. Numbers are taken from the catalog of J. H. Williams & Company and from catalog 130 of the Thomas Laughlin Company for use as a guide. Similar products of other manufacturers are permitted. Sizes of grab and slip hooks are for the accommodating size of chain in inches.

Shank hoist hook. Numbers 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

Regular eye hoist hook. Numbers 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35.

Reversed eye hoist hook. Numbers 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35.

Grab hooks. 1/4, 5/16, 3/8, 1/2, 5/8, 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/8, 1 3/4, 1 3/2.

Slip hooks. 1/4, 5/16, 3/8, 1/2, 5/8, 3/4, 1, 1 1/8, 1 1/4, 1 1/2, 1 3/8, 1 3/4, 1 3/2.

TABLE VI—CLEATS

The following types and sizes may be manufactured. Sizes are length in inches.

Awning cleats. 3, 4 1/2, 6, 8.

Boat cleats. 2, 4, 6, 8, 10, 12, 14.

Ship cleats. 10, 12, 15, 18, 24, 30, 36.

Barge cleats. 40, 42, 42 1/2.

Dock cleats. 30, 36, 42, 42 1/2.

Note: Jam cleats and shoulder cleats are excluded from the limitations of this schedule.

TABLE VII—CHOCKS

The following types and sizes may be manufactured. Sizes are length in inches.

Bow chocks. 4, 6, 8, 10, 12, 15, 18.

Straight or stern chocks. 4, 6, 8, 10, 12, 15, 18.

Closed chocks. 4, 6, 8, 10, 12, 15, 18.

Dock chocks. 14, 16, 18.

Double head chocks. 4 1/2, 6, 7 1/2, 9.

Note: Built up or fabricated chocks, roller chocks and collision chocks are excluded from the limitations of this schedule.

[F. R. Doc. 44-2775; Filed, February 26, 1944;
11:43 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-327]

AIRCRAFT LIGHTING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used to produce aircraft lighting equipment for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.48 *Limitation Order L-327*—

(a) *Definitions*. For the purposes of this order "aircraft lighting equipment" means any light or lamp assemblies (whether portable or not) specifically designed or constructed for use on aircraft, either for purposes of illumination or indication. The term includes all parts, equipment, and devices specifically designed or constructed for use in conjunction with such light or lamp assemblies. The following are examples of types of assemblies included in this definition:

(1) "Landing light," meaning a light or lamp assembly, including any retractable mechanism or adapter, designed to illuminate the ground or other area for

the purpose of facilitating the landing of aircraft;

(2) "Position light," meaning a light or lamp assembly used on aircraft, to indicate its position and direction of motion;

(3) "Anchor or riding light," meaning a light or lamp assembly used on floating aircraft to indicate its position when anchored;

(4) "Formation light," meaning a light or lamp assembly used to facilitate formation flying;

(5) "Recognition light," meaning a light or lamp assembly used for the identification of friendly aircraft;

(6) "Instrument light," meaning a light or lamp assembly used to illuminate or irradiate aircraft instruments;

(7) "Cabin light," meaning a light or lamp assembly designed for the purpose of illuminating the interior of aircraft;

(8) "Signal light," meaning a light or lamp assembly designed to be operated manually for the purpose of signaling from aircraft;

(9) "Indicator light," meaning a light or lamp assembly which indicates a condition or the functioning of a device or indicates some action taken or to be taken;

(10) "Approach light," meaning a light or lamp assembly mounted on aircraft and designed for the purpose of facilitating the landing of aircraft on aircraft carriers.

The term "aircraft lighting equipment" does not include pyrotechnic devices, gunsights or bombsights, indicator lights incorporated as an integral part of radio and radar apparatus, or aviation ground lighting equipment as defined in Order L-235.

(b) *Restrictions on manufacture, sale, and delivery.* On and after April 10, 1944, no person may manufacture, assemble, sell or deliver any aircraft lighting equipment except:

(1) Aircraft lighting equipment certified by The Aeronautical Board of the United States, Washington, D. C., as conforming to specifications or drawings issued by such Board, or

(2) Aircraft lighting equipment certified by the Matériel Command of the Army Air Forces of the United States, Wright Field, Dayton, Ohio, as conforming to specifications or drawings issued by, or acceptable to such Command, to the extent that Aeronautical Board specifications or drawings are not applicable, or

(3) Aircraft lighting equipment certified by the Bureau of Aeronautics of the Navy Department of the United States, Washington, D. C., as conforming to specifications or drawings issued by or acceptable to such Bureau, to the extent that Aeronautical Board specifications or drawings are not applicable, or

(4) Aircraft lighting equipment certified by the Civil Aeronautics Administration of the U. S. Department of Commerce, Washington, D. C., as conforming to the Civil Air Regulations, or

(5) Aircraft lighting equipment to be used only for purposes of experimentation, research and development, or test, or

(6) Aircraft lighting equipment specifically authorized in writing by the War

Production Board. (Each person filing a request for authorization pursuant to this subparagraph shall provide information by letter in triplicate, including the following: Description of lighting equipment and/or accessories, giving type, specification, drawing numbers, and value; quantity; customer's name and location; purchase order number and date received; delivery schedule; prime contract number; and reasons why equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order cannot be used), or

(7) Parts required for the maintenance and repair of existing aircraft lighting equipment, and complete assemblies where required for replacement of aircraft lighting equipment damaged beyond repair, to the extent that equipment certified under paragraphs (b) (1), (b) (2), (b) (3), or (b) (4) of this order is impracticable for such replacement.

(c) *Restrictions on installation.* On and after April 10, 1944, no person may install any aircraft lighting equipment unless the manufacture, assembly, sale, and delivery of such equipment is permitted under the provisions of paragraph (b) of this order or unless specific authorization to install such equipment has been obtained from the War Production Board in the manner prescribed in paragraph (b) (6) of this order.

(d) *Table of acceptable aircraft lighting equipment.* The table supplementing this order lists certain types, drawings, and specifications of acceptable aircraft lighting equipment and manufacturers whose products have been certified under paragraphs (b) (1), (b) (2), (b) (3), and (b) (4) of this order. This table will be brought up to date from time to time.

(e) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(f) *Appeals.* Any appeal under the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(g) *Communications.* All communications and appeals concerning this order shall be addressed to War Production Board, Building Materials Division, Lighting and Fixtures Section, Washington 25, D. C., Ref: L-327.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2774; Filed, February 26, 1944;
11:39 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-260-a, as Amended Feb. 26, 1944]

FURNITURE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.66 *General Limitation Order L-260-a*—(a) *Restriction on use of wood.* Beginning with the first quarter of 1944, no person may use in any quarter in the manufacture and crating of furniture more than 21% of the amount of wood which he used for these purposes in 1943. Use of wood shall be measured in board feet, and wood shall be considered used in the quarter in which it is first changed from the form in which received or is first assembled in that form. In computing his use of wood bought otherwise than by board measurement, a manufacturer may convert it to board feet by any reasonable and consistent method, which he must explain in reporting under paragraph (d) below. This paragraph (a) does not apply to the use of plywood or veneer, and the use of these materials in 1943 must be excluded in determining the base on which the percentage is reckoned.

(b) *Restriction on receipts of wood.* After December 31, 1943 no furniture manufacturer may accept any delivery of wood which, added to all inventory on hand, will give him a supply, at the rate of operation permitted by this order, for more than six months from the date of receipt in the case of lumber (excluding dimension stock), or for more than three months from the date of receipt in the case of wood purchased in other forms (including dimension stock, plywood, and veneer). (For example, a manufacturer who is permitted under paragraph (a) to use 20,000 board feet a month and buys half of it in the form of lumber and half in other forms may not accept deliveries which will result in an inventory of more than 60,000 board feet of lumber and 30,000 board feet of wood in other forms.) The restrictions of this paragraph (b) do not apply to:

(1) Receipt, by a manufacturer whose inventory is within the above limits, of the minimum quantity in which he normally buys.

(2) Receipt of wood which was in the inventory of another furniture manufacturer before January 1, 1944.

(3) A delivery which is specifically permitted by the War Production Board, upon application addressed to the Board, Washington 25, D. C. Ref: L-260-a.

(c) *Freezing of certain grades and species and report to Central Procurement Agency.* (1) Every furniture manufacturer must file a report with the Central Procurement Agency of the U. S. Army Engineers, Washington 25, D. C., not later than December 15, 1943, describing by species, grade, size and amount, all graded lumber which he has in inventory of grade #1 common or better of the following species: ash, beech, yellow birch, hickory, hard maple, oak, rock elm. Each species is to be listed on separate

sheets approximately 8½ x 11 inches in size. This does not apply to manufacturers who have less than a carload of these woods in the aggregate. A copy of the letter must also be sent to the War Production Board, Washington 25, D. C., Ref: L-260-a.

(2) Beginning not later than April 15, 1944 and every 3 months afterwards (July 15, October 15, January 15, April 15) every furniture manufacturer must file with the Central Procurement Agency and the War Production Board a similar report listing all graded lumber of the same species, but covering only grades above #1 common, which he has received or has sorted out of ungraded lumber between the date of the previous report and the day of filing.

(3) A manufacturer may, if he prefers, file reports as often as he accumulates a carload or more of lumber of the specified grades to be reported.

(4) A furniture manufacturer who has or receives ungraded lumber of the above species may not use it until he has graded it so that the required grades can be reported.

(5) A furniture manufacturer may not use or dispose of any of the lumber required to be included in the above reports except that (i) during December 1943 he may use for furniture 30% of the amount of these species used for furniture in the third quarter of 1943; (ii) he may use it to make furniture to be delivered under contract or subcontract to or for the account of the United States Army or Navy, the Maritime Commission, or the War Shipping Administration, to the extent required by the applicable specifications; (iii) he may sell it to the Central Procurement Agency; (iv) he may use or dispose of it for other purposes if the Central Procurement Agency has told him that it does not wish to buy it; (v) any lumber reported and remaining in inventory 60 days after date of reporting may be used or disposed of. Any such use must be within the total limits permitted by paragraph (a) of this order.

(6) Physical segregation of inventories is not required in complying with this paragraph (c) as long as the restrictions are observed with respect to equivalent amounts of lumber of the same grade and species and size.

(d) *Other reports.* (1) On or before January 15, 1944, every furniture manufacturer and also every person who manufactured furniture during 1941 even if he no longer manufactures it, must file with the War Production Board, Ref.: L-260-a, a report by letter showing the total number of board feet of wood (excluding plywood and veneer) used in the manufacture and crating of furniture during 1941 and 1943.

(2) This paragraph (d) does not apply to a furniture manufacturer who makes only furniture parts for sale to other furniture manufacturers.

(e) [Deleted Feb. 26, 1944]

(f) *Equitable distribution to retailers.* It is the policy of the War Production Board that furniture not required to fill rated orders be distributed equitably to retailers giving due regard to established trade connections but also to the needs

of dealers whose usual supplies have been cut off and diverted, and to the increased needs of certain areas caused by war conditions. If voluntary compliance with this policy is not found to be sufficient, the War Production Board may direct furniture manufacturers or wholesalers to sell to specified outlets or to outlets in specified areas.

(g) *Used and waste wood excluded.* This order does not apply to wood that has been previously used or to waste consisting of pieces of one board foot or less normally trimmed or edged in the course of production at a sawmill or elsewhere.

(h) *Small manufacturers excluded.* This order does not apply to any furniture manufacturer in any quarter in which his sales of furniture are less than \$5,000 provided that his sales did not exceed \$20,000 in any of the years 1941, 1942 or 1943.

(i) *Definitions.* (1) The term "furniture manufacturer" as used in this order includes any person who makes or assembles any furniture or wooden parts for furniture.

(2) "Furniture" includes all articles commonly known as furniture, but does not include refrigerators, lockers, shelving, factory and industrial equipment, and built in cabinets.

(j) *Budget Bureau approval.* All reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

NOTE: Schedule A deleted Feb. 26, 1944.

[F. R. Doc. 44-2776; Filed, February 26, 1944; 11:38 a. m.]

PART 3294—IRON AND STEEL PRODUCTION, MAINTENANCE, REPAIR, AND SUPPLIES.¹

[Preference Rating Order P-68 as Amended Feb. 26, 1944]

§ 3294.31¹ *Preference Rating Order P-68—(a) Purpose and scope.* This order describes the procedure by which a producer (as defined herein) obtains material for maintenance, repair, operating supplies and extraordinary maintenance and repair (as defined herein). With respect to such producers, this order supersedes CMP Regulation No. 5, and none of the provisions of that regulation shall apply to any such producer, and no such producer shall obtain any material under that regulation, except as specified in this order. However, delivery may be made and accepted on any delivery order placed pursuant to CMP Regulation No. 5 prior to October 1, 1943. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedules I and II of CMP Regulation No. 5 shall be considered as applicable to producers operating under this order. For exam-

¹ Formerly Part 1002, § 1002.1.

ple, Order E-5-a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation No. 5 as an "approved user." Producers operating under Order P-68 are in the same position providing that certification clauses and all other provisions of such other orders are complied with. Construction for which priorities assistance is not given under this order is covered by Conservation Order L-41.

(b) *Definitions.* (1) "Producer" means any plant or group of plants physically situated within the limits of the United States, its territories, or its possessions, actually engaged in the production of any one or more of the materials or products listed in Schedule A, and to which a serial number has been issued as provided in paragraph (c).

(2) "Maintenance" means the minimum upkeep necessary to continue in sound working condition a facility used in the production of any one or more of the materials or products listed in Schedule A, and "repair" means the restoration of such a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like: *Provided*, That neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable, with material of a better kind, quality or design, except as provided in paragraph (b) (4).

(3) "Operating supplies" means any materials or products which are normally carried by a producer as operating supplies according to established accounting practice and are not included in his finished product, except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies. The term shall also include such items as hand tools, purchased by the producer for sale to his employees for use only in his business, in those cases where they would constitute operating supplies under established accounting practice if issued to employees without charge.

(4) Minor capital additions and replacements may be obtained under the procedures provided for in this order for obtaining ordinary maintenance, repair, and operating supplies where the cost does not exceed \$500 (excluding the purchaser's cost of labor) for any one complete capital addition, or \$2500 (excluding the purchaser's cost of labor for any one replacement. The terms "one complete capital addition" and "one replacement" include a group of items customarily purchased together and all items which would normally be purchased as part of a single project or plan. No capital addition or replacement shall be subdivided for the purpose of coming within this paragraph. The same procedure may be used for obtaining up to \$500 worth of material needed to install any piece of processing machinery or

equipment or to relocate any piece of machinery or equipment (whether used for processing or not).

(5) "Extraordinary maintenance and repair" means the relining of blast furnaces, the rebuilding of coke ovens, soaking pits, heating furnaces and other facilities where the purpose is to restore such facilities to their rated capacity and the cost of the controlled materials and the Class A and B products (excluding the purchaser's cost of labor) exceed \$2,500, but does not include projects whose object is increase in rated capacity or expansion of facilities, nor projects involving redesign of facilities where such redesign would require structural alterations to the facility. The term covers major jobs that have to be done infrequently but which can be foreseen and for which authority to proceed may be obtained well in advance.

(6) "Replacement" is restricted to the replacement of equipment which is in such condition that it is unsuitable for further use, and such replacement may only be for the purpose of maintaining production of existing facilities at their rated capacity. In a case where, though equipment may still be usable, further repairs would involve an excessive loss of production or expenditure of material in view of the results to be obtained, the producer may apply for assistance under paragraph (j), or through filing an application on Form WPB-3196, where the value of the replacement is less than \$2,500. The term does not include replacement of equipment which is not substantially in kind, or which would result in appreciable betterment or improvement, or which would increase production or be an addition to present facilities.

(c) *Issuance of serial numbers.* A serial number may be issued by the War Production Board under this order to a plant or group of plants physically situated within the limits of the United States, its territories, or its possessions, and actually engaged in the production of any one or more of the materials or products listed in Schedule A, and may be denied or cancelled by the War Production Board in appropriate cases. In taking such action and in granting priorities assistance, the War Production Board will consider the importance to national defense of the present and prospective output of materials to be produced, the consumption of critical material involved, and the importance to national defense of competing demands for such material.

Ordinary Maintenance, Repair, and Operating Supplies

(d) *Controlled materials.* (1) A producer may obtain steel, copper and aluminum in the form of controlled materials (as defined in CMP Regulation No. 1) for ordinary maintenance, repair, or operating supplies by endorsing or accompanying his delivery order with the

certification prescribed in paragraph (f). An order bearing this certification constitutes an authorized controlled material order.

(2) [Revoked Feb. 26, 1944]

(e) *Other material.* A preference rating of AA-1 is hereby assigned to producers for the purchase of ordinary maintenance, repair or operating supplies other than controlled materials (regardless of whether such supplies be Class A products, Class B products, or other products or materials). This rating may be applied by a producer by endorsing or accompanying his delivery order with the certification prescribed in paragraph (f).

(f) *Certification.* Delivery orders placed pursuant to paragraph (d) or (e) must be endorsed or accompanied by a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7.

CMP Allotment Symbol S-8

Preference Rating AA-1 S-8

Order authorized under Preference Rating Order P-68.

The use of the foregoing certification shall constitute a representation by the producer to the seller and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that to the best of the producer's knowledge and belief he is authorized under applicable War Production Board orders and regulations to place the delivery order, to receive the items ordered for the purpose for which ordered, and to use the above preference rating or allotment number or symbol for this purpose.

(g) *Restrictions on receipts and inventory.* (1) No producer who uses an allotment symbol or preference rating assigned under this order may receive during any calendar year an aggregate amount of ordinary maintenance, repair and operating supplies exceeding 120% of his aggregate expenditures for ordinary maintenance, repair and operating supplies during the calendar year 1942.

(2) Nothing in this regulation authorizes any person to receive any delivery of maintenance, repair, or operating supplies if it would increase his inventory above a practicable working minimum as provided in § 944.14 of Priorities Regulation No. 1 or would result in a violation of the inventory limitations of CMP Regulation No. 2. No inventory limitations of any other order or regulation of the War Production Board shall be applicable.

(h) *Restrictions on use.* Material obtained under paragraphs (d) and (e) may, when necessary to prevent delays, be used for construction projects, for replacements valued at over \$2,500, or for extraordinary maintenance and repair, if the same material has been approved by the War Production Board for such use in the particular project or installation, but the only rating that may be used to replace such material in

inventory is the rating assigned to the project on which it was used.

Replacements Over \$2,500 and Extraordinary Maintenance and Repair

(i) *All materials.* To obtain priorities assistance for material needed for replacements valued at over \$2,500 or for extraordinary maintenance and repair, a producer must apply on form WPB-3196, to the Maintenance and Repair Section, Steel Division, War Production Board, Washington 25, D. C. The priorities assistance granted generally by this order for maintenance, repair and operating supplies may not be used for replacements valued at over \$2,500 or for extraordinary maintenance and repair. A producer may obtain materials for replacements valued at over \$2,500 or for extraordinary maintenance and repair, as provided in paragraphs (d) and (e), through use of the S-8 symbol and the rating assigned, if, but only if, such use is specifically authorized. Orders placed for such materials must be certified in accordance with paragraph (f), and must show the serial number assigned by the War Production Board on the applicable Form WPB-3196.

General Provisions

(j) *Additional assistance in individual cases.* If the sound working condition of a producer is adversely affected by any provision of this order or by inability to obtain material essential for repair, maintenance or operating supplies, the producer may apply to the War Production Board for additional assistance by letter, in triplicate, giving the reasons why such assistance is essential. In case of breakdown, imminent breakdown, or other emergency, the application may be made by telegraph or telephone.

(k) *Communications.* All communications concerning this order should be addressed to War Production Board, Washington, D. C., Ref: P-68.

(l) *Effect on other orders.* Nothing in this order shall be construed to relieve any person from complying with any applicable regulation or order of the War Production Board or with any order of any other competent authority.

(m) *Records and reports.* Each person acquiring maintenance, repair, or operating supplies pursuant to this order shall keep and preserve, for a period of not less than two years, accurate and complete records of all such supplies so acquired, and used, which shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board. The record-keeping and reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) *Violations.* Any person who willfully violates any provisions of this order or who, in connection with this

order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

1. Iron, pig iron, and ferroalloys.
2. The following iron and steel products, including alloys: Ingots, blooms (including forged), billets (including forged), slabs (including forged), tube rounds, sheet and tin bars, structural shapes, piling, plates (universal and sheared), rails, tie plates, track spikes, splice bars, rail joints, hot rolled bars (including hoops and bands and concrete reinforcing bars), cold finished bar, pipe and tubes (except conduit), wire rods, wire as drawn (not including further fabrications therefrom), black plate, tin and terne plate, sheets, strip, tool steel bars (including high speed), steel wheels and axles (for railroad use only), railroad locomotive tires, armor plate, ordnance forgings, drop and upset forgings, heavy forgings, iron and steel castings (rough as cast), skelp, rolling mill rolls, ingot molds and stools.
3. Coke for use in the production of pig iron and ferroalloys.

[F. R. Doc. 44-2777; Filed, February 26, 1944; 11:38 a. m.]

PART 3302—SERVICE EQUIPMENT

[General Limitation Order L-54-c, as Amended Feb. 26, 1944]

OFFICE MACHINERY

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials used in the production of office machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.11 *General Limitation Order L-54-c*—(a) *Definitions*. For the purposes of this order:

(1) "Office machinery" means machinery, including attachments thereto, of the classes included in Lists I, II and III attached to this order as they may be amended from time to time.

(2) "New" office machinery means office machinery which has not been delivered to any person acquiring it for use. The term shall not describe any machine which has been delivered for trial, loan, rental or demonstration at any time prior to March 14, 1942. "Used" office machinery means office machinery other than new office machinery.

(3) "Restricted office machinery" means:

(i) Any new office machinery included in List I.

(ii) Any used punched card tabulating machinery which is in, or which hereafter comes into, the possession of its

manufacturer for any purpose other than mere repair or reconditioning, regardless of its age.

(4) "Manufacturer" means any person manufacturing new office machinery or sets of parts, to the extent that he is engaged in such manufacture, and shall include majority-owned sales, distribution, and manufacturing subsidiaries. In some cases a person who owns the patents, patterns, jigs, fixtures, and other means for making a particular kind of office machinery, and who customarily markets that kind of machinery under his own brand name, does not fabricate and assemble the machinery himself but arranges for someone else to do part or all of the work of fabricating and assembling. In such cases the person who owns the equipment, patents, and brand name is the manufacturer for purposes of this order. However, to the extent that production is permitted by this order he may arrange with someone else to do the work for him, in accordance with his usual practice.

(5) "Dealer" means any wholesaler, retailer or other distributor of restricted office machinery other than a sales or distribution subsidiary of a manufacturer, and shall include any person, firm or corporation normally receiving restricted office machinery on consignment.

(6) "Delivery" means any physical transfer of restricted office machinery, and includes transfers for trial, loan, rental, demonstration or other use.

(7) "Army", "Navy" and "Maritime Commission" mean the War Department, the Navy Department, and the Maritime Commission, respectively, but shall not include any privately operated plant, shipyard, training school, or other enterprise controlled or financed by the Army, Navy, Maritime Commission, or any other agency of the United States Government, nor any plant or shipyard privately operated on a cost-plus-fixed-fee basis under the control or direction of the Army, Navy, Maritime Commission, or any other agency of the United States Government.

(8) "Lend-Lease purchaser" means any person requesting authorization to receive delivery of restricted office machinery for export to any country, the government of which is entitled to the benefits of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(9) "Sets of parts" means parts for office machinery produced at plants in the United States for shipment to foreign countries for assembly into new office machinery of the types included in List I.

(10) "Dollar value" means

(i) With respect to assembled new office machinery, the retail list price of such machinery to customers located in the United States;

(ii) With respect to sets of parts, the retail list price to customers located in the United States of the number of units of assembled machinery into which such sets of parts can be assembled.

(11) "Non-electric" machines are machines which are assembled without

electric motors and which are not designed for the addition of electric motors at a future time.

(12) (Deleted Jan. 5, 1944)

(b) *Restrictions on production*—(1) *List I classes*. A manufacturer may produce any class of new office machinery included in List I, and sets of parts for export, only to fill orders approved by the War Production Board on Form WPB-1688 and Form WPB-2793 certificates, and also to maintain an inventory worth up to 20 percent of the dollar value of machinery of the same class billed to customers and sets of parts exported during the calendar year 1941. This means that unless a manufacturer's inventory is below the 20 per cent figure he may not produce for inventory, even to replace what he has delivered from inventory to filled approved orders. Dollar value figures must be used in calculating production for inventory, unless the manufacturer has customarily leased his product instead of selling it. In that case, the manufacturer may base his production for inventory on the number of machines assembled and the number of sets of parts exported during 1941. With respect to Classes 14 to 19 on List I, inclusive, production of office machinery for inventory under an authorization issued by the War Production Board before February 26, 1944, may take place only as part of the production allowed by this paragraph, and not in addition to it. Any inventory of those classes of office machinery held by a manufacturer on February 26, 1944, for delivery without restriction, or to fill orders approved by the War Production Board on Form WPB-1688 and Form 2793 certificates, is part of his inventory within the meaning of this paragraph. On the other hand, production of those classes of office machinery under an authorization issued before February 26, 1944, for delivery only to customers mentioned in the authorization is not affected by the restrictions of this paragraph (b) (1). Also, machinery produced under the authorization and being held for delivery to those customers is not part of the manufacturer's inventory.

(2) *List II classes*. No manufacturer shall fabricate, cause to be fabricated, or contract to purchase, parts for the assembly of any new office machinery included in List II and no manufacturer shall assemble any new office machinery included in List II.

(3) *List III classes*. During each calendar quarter a manufacturer may produce new office machinery of any class in List III up to a total dollar value of not more than 20 per cent of the dollar value of machinery of the same class billed to customers during the calendar year 1941. Any production during the quarter under an authorization issued by the War Production Board prior to February 26, 1944, is part of the production

allowed by this paragraph (b) (3) and not in addition to it.

(4) *Repair and service parts.* The restrictions upon the manufacturer of new office machinery contained in this paragraph (b) shall not apply to the manufacture of parts to be used to service or repair any kind of office machinery included in Lists I and II.

(5) *Discontinued new office machinery.* No manufacturer shall fabricate parts for any new office machinery or assemble any new office machinery of any kind which he has elected to deliver free of all restrictions pursuant to paragraph (g) of this order.

(6) *Special authorizations.* Notwithstanding the restrictions of paragraph (b) or paragraph (g) of this order, the War Production Board may from time to time in writing specifically authorize one or more manufacturers to fabricate, to cause to be fabricated, to contract to purchase, to assemble, or to manufacture in any manner, specified quantities of parts or machinery restricted by paragraph (b) or paragraph (g) or both.

(c) *Restrictions on delivery—(1) General restrictions.* Regardless of the terms of any contract of sale or purchase, or other commitment, or of any preference rating, or any preference rating order, no manufacturer or dealer shall deliver any restricted office machinery or sets of parts therefor (other than machines which may be delivered free of restrictions pursuant to an election under paragraph (g) of this order) except upon receipt of and pursuant to the terms of Form WPB-2798 (respecting deliveries to the Army, Navy or Maritime Commission or sets of parts for export) or Form WPB-1688 (respecting deliveries to all other persons) approved by the War Production Board.

(2) *Sequence of deliveries.* Except when specifically directed otherwise in writing by the War Production Board, the sequence of deliveries of machines authorized on Forms WPB-2798 and WPB-1688 shall be determined by the delivery dates specified on such forms. If a form specifies a delivery date prior to the date on which it is received by the supplier named therein, the form shall be treated by the supplier as calling for delivery on the day when it was received by him. If a supplier receives two or more forms specifying the same delivery date for identical machines, he shall make delivery of the machines in the order in which the forms were received by him.

(3) *Intracompany deliveries.* Without further authorization, a manufacturer may for the purpose of redelivery, but not for use, deliver restricted office machinery from one branch, division or section of his enterprise, including majority-owned sales, distribution and manufacturing subsidiaries, to another branch, division or section of the same enterprise, including majority-owned sales, distribution and manufacturing

subsidiaries, except that he may not deliver to a subsidiary, branch, or other outlet located outside the United States, its territories, and possessions.

(4) *Delivery to dealers and returns to manufacturers.* Without further authorization, dealers may return restricted office machinery to any manufacturer willing to accept the same and manufacturers may accept all such restricted office machinery from dealers. Without further authorization, manufacturers or dealers may deliver restricted office machinery to dealers in the following instances only:

(i) To fill an order approved by the War Production Board on Form WPB-2798 or WPB-1688 already received by such dealer or to replace restricted office machinery delivered by such dealer from his inventory to fill an order approved by the War Production Board on any such form, *Provided*, That such dealer has furnished to the manufacturer or to the other dealer a photostat, or other certified copy, of the approved Form WPB-2798 or WPB-1688, as provided in Priorities Regulation No. 5.

(ii) To store or display such restricted office machinery on the dealer's premises in the United States, its territories and possessions, provided that the restricted office machinery so stored or displayed is in the absolute control and ownership of the manufacturer or delivering dealer and may be removed, transferred or shipped by such manufacturer or delivering dealer at any time in his discretion.

(5) *Deliveries under Utilities Order U-5.* The issuance of an authorization on Form WPB-2798 or on Form WPB-1688 to deliver a time stamp machine, a time recording machine, or collateral equipment shall constitute a preference rating of AA-5 or higher within the meaning of § 4504.1, Utilities Order U-5, for the particular items authorized to be delivered.

(6) *Special authorizations.* Notwithstanding the restrictions of paragraph (c) of this order, the War Production Board may from time to time in writing specifically authorize one or more manufacturers or dealers, or both, to deliver specified quantities of restricted office machinery.

(7) *Deliveries of non-electric machines by manufacturers.* Manufacturers may deliver non-electric adding machines and non-electric duplicating machines to the extent permitted by paragraphs (c) (1) to (c) (6) of this order, inclusive (e. g., to fill an Army, Navy or Maritime Commission order pursuant to the terms of an approved Form WPB-2798, or to fill an order for export pursuant to an approved Form WPB-1688). In addition, in each calendar quarter and without further authorization, a manufacturer may deliver to purchasers within the United States, other than the Army, the Navy and the Maritime Commission, new assembled non-electric adding machines

and new assembled non-electric duplicating machines worth not more than the applicable percentage of the dollar value of the same type of machines (both electric and non-electric) billed to his customers during the calendar year 1941. Any portion of this amount undelivered by the end of any quarter may be delivered free of restrictions during subsequent quarters to domestic purchasers, other than the agencies named, in addition to the percentage which the manufacturer is regularly entitled to deliver.

The percentage applicable to unrestricted deliveries of non-electric adding machines is in the first table. The percentages applicable to unrestricted deliveries of non-electric duplicating machines by manufacturers who make only non-electric duplicating machines are in the second table. The percentages applicable to unrestricted deliveries of non-electric duplicating machines by manufacturers who make both electric and non-electric duplicating machines are in the third table:

TABLE No. 1

Manufacturer's total 1941 adding machine billings:	Applicable percentage per quarter (per cent)
Any amount.....	4.5

TABLE No. 2

Manufacturer's total 1941 duplicating machine billings:	Applicable percentage per quarter (per cent)
Under \$50,000.....	25
\$50,000 to \$100,000.....	18.75
\$100,000 to \$250,000.....	15
Over \$250,000.....	6.25

TABLE No. 3

Manufacturer's total 1941 duplicating machine billings:	Applicable percentage per quarter (per cent)
Under \$100,000.....	12.5
\$100,000 to \$500,000.....	10
\$500,000 to \$2,000,000.....	7.5
\$2,000,000 to \$4,000,000.....	2.5
Over \$4,000,000.....	2

(8) *Deliveries of non-electric machines by dealers.* Dealers may deliver new non-electric adding machines and new non-electric duplicating machines to the extent permitted by paragraphs (c) (1) to (c) (6) of this order, inclusive (e. g., to fill an Army, Navy or Maritime Commission order pursuant to the terms of an approved Form WPB-2798, or to fill an order for export pursuant to an approved Form WPB-1688). In addition, without further authorization dealers may deliver new non-electric adding machines and new non-electric duplicating machines to purchasers within the United States, other than the Army, the Navy, and the Maritime Commission.

(d) *Special procedures and information.* (1) Private contractors engaged in construction work for the Army, Navy, Maritime Commission or Defense Plant Corporation, and private operators of any plant, shipyard, training school or

other enterprise controlled or financed, on a cost-plus-fixed-fee basis or otherwise, by the Army, Navy, Maritime Commission or any other agency of the United States. Government shall, when requesting restricted office machinery on Form WPB-1688, furnish a certification by the Government inspector assigned to the project (1) that no Government equipment is available for use in lieu of the equipment requested, (2) that the contractor or operator has no equipment available from any other source for use in lieu of the equipment requested, and (3) that the equipment requested is to be used exclusively by the contractor's or operator's private personnel for the duration of the project on work which the contractor is required to perform under the terms of his contract.

(2) [Deleted Jan. 5, 1944]

(3) [Deleted Jan. 5, 1944]

(4) [Deleted Jan. 5, 1944]

(e) *Sets of parts.* (1) No person shall deliver any sets of parts for export from the United States unless the War Production Board has authorized such delivery on Form WPB-2798. Application for authority to export sets of parts shall be made on Form WPB-2798 and shall indicate therein or by accompanying letter the number of units of new office machinery into which such sets of parts can be assembled, the model numbers of such machinery and the retail price of such machinery to customers located in the United States. Nothing in this order shall be construed to authorize any exportation without an export license.

(2) No manufacturer manufacturing and delivering sets of parts for export shall directly or indirectly import any new office machinery of the kind listed in List I, except by permission of the War Production Board in writing.

(f) *Reports.* Each manufacturer must send a monthly report to the War Production Board on Form WPB-1263. Separate reports must be made on this form with regard to non-electric adding machines and non-electric duplicating machines.

(g) *Election to cease manufacture and to deliver without restrictions.* Any manufacturer who prefers to cease manufacture of any particular kind, model or type of new office machinery and to obtain authorization to deliver his existing stock of such machinery free of the restrictions of this order, rather than to continue manufacture and delivery of such machinery subject to the terms of this order, may make application for authorization to make unrestricted delivery. Such application must set forth the kind, model or type of new office machinery to which the application relates, the model or style numbers of such machinery, the applicant's inventory of such machinery as of the date of the application and the total dollar value of such inventory. Such authorization shall extend to the manufacturer to whom it is addressed and to any dealer possessing stocks of such kind, model or type of machine; and such manufacturer shall notify his dealers of any

authorization received under this paragraph.

Nothing in this paragraph (g) shall be construed to entitle any applicant to disregard any provisions of this order until specific authorization of the War Production Board in writing is received by such applicant and then only to the extent of, and subject to the conditions contained in, such authorization.

(h) *Bureau of the Budget approval.* Form WPB-2788, Form WPB-1688, Form WPB-1263 and the form of application for authorization to make unrestricted delivery of new office machinery contained in paragraph (g) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Service Equipment Division, Washington 25, D. C., Ref.: L-54-c.

Issued this 26th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

1. Accounting machines, bookkeeping machines, and billing machines (accounting principle). Also continuous forms handling machines type-writer principle, having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers.
2. Adding machines.
3. Addressing machines, including but not limited to embossing machines for plates, and stencil-cutting machines embodying typewriter principle.
4. Calculating and computing machines.
5. Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators.
6. Machines and collateral equipment intended for use for dictating purposes.

7. Microfilm machines designed for office functions.
8. Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression).
9. Payroll denominating machines.
10. Punched card tabulating and accounting machines.
11. Time recording machines except watchmen's clocks.
12. Time stamp machines.
13. Combination dictating and telephone recording equipment.
14. Check handling machines (including cancelling, cutting, dating, endorsing, numbering, protecting, signing, sorting and writing machines).
15. Coin handling machines (including counting, sorting, and wrapping machines).
16. Currency counting machines.
17. Envelope handling machines (including contents folding, mailing, opening, sealing, stuffing, and mail room folding machines).
18. Postal permit mailing machines.
19. Post office cancelling machines.

LIST II

1. Cash (registering) machines.
2. Perforating machines (marking and cancelling).
3. Stamp affixing machines.

LIST III

1. Autographic registers.
2. Change making machines.
3. Shorthand writing machines.

INTERPRETATION 1

Interpretation 1 has been superseded by subsequent amendments. (Issued Jan. 5, 1944.)

INTERPRETATION 2

(1) An authorization to deliver restricted office machinery, issued on Form WPB-1633 or on Form WPB-2793, is not a preference rating certificate within the meaning of Interpretation No. 6 of Priorities Regulation No. 3. Accordingly, that interpretation is inapplicable to such authorizations.

(2) If permission to deliver office machinery is granted on Form WPB-2793 or on Form WPB-1633, the only person to whom the supplier may deliver the machinery is the applicant named in the form. Moreover, the supplier named in the form is the only manufacturer or dealer who is authorized to deliver the machinery to the applicant. However, other manufacturers and dealers may deliver the machinery described in the form to the supplier named in the form pursuant to paragraph (c) (4) (1) of Order L-54-c.

(3) Form WPB-1633 requires the applicant to state the "name of manufacturer" of the machinery to be delivered. This is an essential part of the description of the machinery which the War Production Board authorizes the supplier to deliver pursuant to paragraph (c) (1) of Order L-54-c. The supplier may not deliver to the applicant machinery produced by another manufacturer, even though his product is similar to the machinery produced by the manufacturer named in the form WPB-1633 approved by the War Production Board. (Issued Nov. 8, 1943.)

[F. R. Doc. 44-2778; Filed, February 26, 1944; 11:38 a. m.]

PART 1196—COMPRESSORS

[General Limitation Order L-100, Revocation]

Section 1196.1 *General Limitation Order L-100* is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Orders L-123 and M-293.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2864; Filed, February 28, 1944;
11:35 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-123, as Amended Feb. 28, 1944]

Section 1226.1 *General Limitation Order L-123* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials (including components) and facilities used in the manufacture of general industrial equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.1 *General Limitation Order L-123*—(a) *Equipment which may not be delivered without an AA-5 or better rating.* No person (including a manufacturer, distributor, or dealer) shall accept any order for or deliver, and no person shall accept delivery of, any new item of the following equipment (more fully described in the attached List A) except for an order bearing a preference rating of AA-5 or higher:

1. Air filters.
2. Air washers.
3. Arc welding machines.
4. Baling presses.
5. Compressors.
6. Ceramic machinery and equipment.
7. Concrete products machinery.
8. Dust collectors, industrial.
9. Dynamometers (electric type) and rotary converters.
10. Electric motors and generators (fractional horsepower).
11. Fans, blowers and exhausters.
12. Flexible metallic hose, tubing and fittings.
13. Heat exchangers.
14. High pressure blowers.
15. Lifting magnets.
16. Oil filtering and re-refining machines.
17. Ovens, industrial; drying, curing and finish-baking types.
18. Paper shredders.
19. Pressure vessels (including air receivers).
20. Pumps.
21. Stationary steam engines.
22. Wire working machinery.

Deliveries within a company. The above restriction applies to deliveries from one department (a branch, division, or section) of a single organization to another department of the same

organization when the item is for incorporation into other machinery produced by that organization, or when it is for installation and operation for the organization's own use.

The restriction does not apply to deliveries from one department to another of the same organization, of items which it is to resell as such.

(b) *Certain transactions for which, no rating is required by this order.* The above restriction does not apply to the following transactions:

(1) *Repair parts.* Delivery of repair parts for any item (but no complete item may be considered as a repair part and delivered under this exemption, even though it could be used as a component part of another item or of machinery not covered by this order).

(2) *Farm supplies.* When items which are farm supplies under Priorities Regulation 19 are delivered in accordance with that regulation.

(3) *Petroleum industry item.* When items used in the petroleum industry and covered by Order P-98-c are delivered in accordance with that order.

(4) *Items no longer needed.* When an item is returned to the person from whom it was obtained, or when it can no longer be used for the purpose for which priorities assistance was given to help obtain it and the holder disposes of it in accordance with applicable provisions of Priorities Regulations 1 or 13.

(5) *Items ordered and put in transit before the restriction became applicable.* The completion of delivery of items which had been placed in the hands of a common or contract carrier for shipment to the customer prior to the date upon which the restriction in (a) became applicable.

(6) *Certain orders rated below AA-5 but unfilled when restriction became applicable.* Delivery to fill any rated order which was rated below AA-5 and could have been filled just before the date upon which the restriction in (a) became applicable without violating any WPB order, rule or regulation.

(7) *Deliveries of machinery not covered by this order.* The delivery of new machinery, not covered by this order, into which an item has been incorporated as a necessary component part (or which is delivered in unassembled condition with an item which is a necessary component part, for assembly at the site of installation).

(8) *Used items.* The delivery of any item which has been sold to a person acquiring it for use, and put into regular use by him.

(9) *Specific authorizations.* Deliveries specifically authorized or directed by the War Production Board.

(10) *The replacement of a fractional horsepower electric motor or generator which is traded-in when repair is needed.* When a fractional horsepower electric motor or generator is delivered to a householder or other user solely for replacement of a used one which needs repair and the seller, in accordance with his regular business practice, takes the broken down or defective motor or gen-

erator in trade and repairs it or delivers it to another person who will repair it (whenever repair is practicable) so that it will be resold under similar conditions (or scraps it promptly when repair is impracticable).

(It must be noted that no repairman or other person may deliver such an item unless he either complies with the foregoing conditions, or receives a AA-5 or higher rating for the delivery from his customer, even though he has obtained the items under a regulation or order which assigns a rating for repair or maintenance purposes, such as the following: CMP Regulations 5, 5A, or 9A; or Orders L-79, P-126, or P-148.)

This exemption permits a dealer not having repair facilities to deliver such a traded-in motor or generator, if it is repairable, to the manufacturer or some other supplier who will repair it or have it repaired within a reasonable time, and get one in exchange without a AA-5 or higher rating. The manufacturer or other supplier who is asked to deliver a new item to a dealer in exchange for a used one is responsible for determining if the traded-in item is repairable.

(11) *Portable air compressors owned and used in a rental business.* When portable air compressors owned by a person engaged in the business of renting them, are leased by the owner. This exemption does not apply to the sale of a new item by such owner, or to the original purchase of the items by him.

(c) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. The letter should be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(4) *Communications.* All reports required to be filed hereunder, and all communications (except appeals) concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref. L-123.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Under paragraph (a) of the order, a rating of AA-5 or better is required for delivery of a new item of equipment in any class described below. Exceptions to this rule are listed in paragraph (b). "Item" means any new piece of equipment. Where a class description covers an item sometimes sold with a motor or other driving unit and sometimes without, in either case the item is subject to the restrictions of the order.

Component parts for the repair or manufacture of an item are not subject to the order as items in that class. However, if a particular part is itself within some other class as described below, then it is subject to the order.

1. *Air filters.* Any equipment or device designed to filter or strain air or other gaseous matter for the purpose of removing dust or other particles of material. Excluded are filters designed for filtering the air in domestic or other space heating plants, centrifugal types, electric precipitators, and carbon absorbers.

2. *Air washers.* Any equipment or device designed to wash air, including spray washers and scrubbers.

3. *Arc welding machines.* Any machine or device designed to use, transform, or generate electricity (either direct or alternating current) for the deposit of metal by the electric arc process. Excluded are: Welding cable, electrode holders and arc welding electrodes.

4. *Baling presses.* Any machine or device designed to compress bulky materials into compact bundles or bales. Included are types for handling ferrous and non-ferrous scrap, paper, rubber, textiles, or miscellaneous waste materials. Excluded are balers which are farm machinery and equipment covered by Orders L-257 or L-257-a.

5. *Compressors.* Any portable or stationary machine or apparatus of the reciprocating type, designed to compress or exhaust air or other gas. Excluded are (i) items for use in therapeutic machines; (ii) items especially designed and fabricated solely for incorporation into or repair of other machinery (not compressors) produced by the same manufacturer; (iii) items for use in a refrigerating or air conditioning system, as defined in Order L-38.

6. *Ceramic machinery and equipment.* Any machine or device designed to crush, mix, prepare, form, cut, fire, burn, or otherwise process raw ceramic materials into finished ceramic products. "Ceramic products" includes structural clay products such as brick, tile, terra cotta and flue block, sewer pipe and drain tile, conduit, sanitary pottery, paving brick, flower pots, decorative pottery, artware pottery, tableware pottery, stoneware, crockery, earthenware, and porcelain.

7. *Concrete products machinery.* Any machine or apparatus designed to mix, prepare, form or otherwise process concrete or its components into block, brick, pipe or conduit. Included are block machines, pipe machines, mixers, skip hoists, off-bearing hoists, pallets, forms, and their accessories and attachments of any size or kind.

8. *Dust collectors, industrial.* Any equipment or device designed to collect or filter dust from air, flue gases, or other gas.

9. *Dynamometers.* Electric type; and rotary converters.

10. *Electric motors and generators (fractional horsepower).* Any machine or device containing an armature or similar rotating part and designed to transform electric energy into mechanical energy, or mechanical energy into electric energy, or to transform or amplify electric energy of one type, voltage, or frequency into another, if built in a frame size smaller than frame size 203 (or frames smaller than those corresponding to one horsepower, 1800 RPM, 60 cycle, 2 or

3 phase). Excluded are starting motors, generators and magnetos designed for use in automotive vehicles covered by order L-158, or in internal combustion engines.

11. *Fans, blowers and exhausters.* Any device or machine which moves, compresses, or exhausts air or other gases by centrifugal, rotary or axial means. Excluded are: (i) ceiling, air circulator, desk, wall bracket, portable window, and portable pedestal type fans covered by Limitation Order L-170; (ii) items specially designed and fabricated solely for incorporation into or repair of other machinery (such as pulverizers, stokers, and boilers) produced by the same manufacturer; (iii) propeller type fans for use as a part of internal combustion engines; (iv) high pressure blowers included in Item 14 of this List A.

12. *Flexible metallic hose, tubing and fittings.* Any quantity of such hose, tubing or fittings, not electric conduit type.

13. *Heat exchangers.* Any equipment or apparatus consisting of an assembly, bundle, or nest of one or more bare or finned tubes (metallic or non-metallic) or metal plates, or any shell or pressure vessel for containing the same, designed for the transfer or exchange of heat between two or more fluids (liquids, gases or vapors). Excluded are the following: (i) Any item which is direct fired or installed within a flue gas passage; (ii) any item which permits direct contact involving physical mixing of the fluids (other than direct contact boiler feed water heaters); (iii) any steam surface condenser designed to condense exhaust steam from a prime mover to maintain a minimum exhaust pressure; (iv) any item for use on aircraft; (v) any radiator-type cooler; (vi) any unit heater, convector, unit ventilator, unit cooler or blast coil when any such item is for space heating or cooling or industrial space heating or drying; (vii) any indirect water heater, commonly referred to as a storage water heater and consisting of a heating element installed in a hot water storage tank for heating and storing hot water for any purpose; (viii) any indirect water heaters consisting of a coil or nest of tubes installed in a shell or pressure vessel with a diameter of 12 inches or less, or with an internal cross sectional area of 113 square inches or less when not circular in cross section, and used for supplying hot water for any purpose; (ix) any item of non-metallic construction for use in a chemical supplemental laboratory; (x) items specially designed and fabricated solely for incorporation into or repair of other machinery (not heat exchanger) produced by the same manufacturer; and (xi) items for use in a refrigerating or air conditioning system, as defined in Order L-38.

14. *High pressure blowers.* Any blower, compressor, exhauster, or vacuum pump of the rotative type, designed for pressure differential of 1½ pounds or more per square inch (including any diesel engine supercharger or scavenger, or any ballast unloading blower). Excluded are items for use in a refrigerating or air conditioning system, as defined in Order L-38.

15. *Lifting magnets (electric).* Circular types, 5 inches in diameter and larger.

16. *Oil filtering and re-refining machines.* Any equipment or device designed to filter, or to re-refine by heating or bleaching, lubricating or cutting oils which have been used. Excluded are centrifuges.

17. *Ovens, industrial, drying, curing and finish-baking types.* Any oven of the types used in industrial or commercial processes for drying, curing, or finish-baking ceramic, concrete, plastic or other products, except food or food products. Excluded are heat treating furnaces.

18. *Paper shredders.* Any machine or device designed to cut paper into narrow shreds, as used in the destruction of con-

fidential papers or the preparation of packaging materials. Excluded are shredders for reprocessing waste into new paper.

19. *Pumps.* Any mechanically operated mechanism of the rotary, centrifugal or reciprocating type, designed for raising, circulating or otherwise moving any liquid. Included are pumps sold separately, or with a driving unit. Excluded are the following: (i) pumps specially designed and fabricated solely for incorporation into or repair of other machinery (not pumps) produced by the same manufacturer; (ii) pumps for use as parts of internal combustion engines, or parts of motor vehicles of the types covered by Order L-158; (iii) pumps for use as parts of fire fighting equipment of the types covered by Order L-43; (iv) pumps which are farm machinery and equipment as defined in Order L-257; (v) service station type measuring and dispensing pumps; (vi) the following pumps when designed and used solely for heating of building space; condensate return pumps and hot water circulating pumps; (vii) pumps of the sanitary type for milk or egg processing; (viii) pumps ordinarily used for construction contractors' purposes or by construction contractors for dewatering and supply, as defined in Order L-182.

20. *Pressure vessels (including air receivers of all sizes and types).* Any sealed carbon steel or alloy steel vessel or shell designed to withstand internal or external pressure for the purpose of retaining one or more fluids (liquids, gases, or vapors). Excluded are the following types: (i) direct fired vessels, such as boilers; (ii) vessels designed to contain water under pressure for domestic supply; (iii) vessels for transportation; (iv) vessels designed as heat exchangers or enclosures therefor (included in Item 13 of this List A); (v) vessels designed for cooking or preparing food stuffs; (vi) field assembled storage vessels such as spheres and spheroids; (vii) vessels, other than air receivers, with a liquid capacity of less than 30 cubic feet.

21. *Stationary steam engines.* Any steam engine not designed for use in locomotives or other equipment used for transportation purposes, not marine.

22. *Wire working machinery.* Any new machine or equipment having a value of more than \$100 designed to cut, form, or fabricate any product from wire. Excluded are rubber covering machines, strainers and stoppers, vulcanizers of all types, and wire tying machines.

[F. R. Doc. 44-2853; Filed, February 23, 1944; 11:34 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-123, Revocation of Interpretations 1, 2, and 3]

Interpretations 1, 2, and 3 to Limitation Order L-123 are hereby revoked.

Issued this 28th day of February 1944

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2857; Filed, February 23, 1944; 11:34 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-172, Revocation]

HEAT EXCHANGERS

Section 1226.47 General Limitation Order L-172 is revoked. This revoca-

tion does not affect any liabilities incurred under the order. The order is superseded by Orders L-123 and M-293.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2865; Filed, February 28, 1944;
11:35 a. m.]

PART 3165—PUMPS

[General Limitation Order L-246,
Revocation]

Section 3165.1 *General Limitation Order L-246* is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Orders L-123 and M-293.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2866; Filed, February 28, 1944;
11:36 a. m.]

PART 3168—FANS AND BLOWERS

[General Limitation Order L-280, Revocation]

Section 3168.1 *General Limitation Order L-280* is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Orders L-123 and M-293.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2860; Filed, February 28, 1944;
11:34 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 1, As Amended Feb. 28, 1944]

ACTIONS WITH RESPECT TO FREEZING OF SCHEDULES

The following direction is issued pursuant to General Scheduling Order M-293:

(a) All actions taken by the War Production Board under Order M-293 or under any of the provisions of other orders covering products which were or have become M-293 products, with respect to the freezing of schedules or the approval of individual transactions remain fully effective as provided in Priorities Regulation 18 and are not affected by any amendment of M-293 or of any table to that order. This means that, wherever the designation of an item under Order M-293 is changed by an amendment to a table, or an item is removed from a table, or wherever an item under a scheduling order becomes an M-293 product and is removed from such other scheduling order of the War Production Board, manufacturers of the item in question must continue to observe any frozen schedules or specific directions which they received under the earlier procedure, unless the schedule or direction is amended under Priorities Regulation 18.

(b) Where the placing of a purchase order was approved for a Class Y item, or for a product covered by similar procedure under any other War Production Board order which was or has become an M-293 product, the ap-

proval remains effective and the person with whom the purchase order is placed must accept and schedule the same accordingly, even if he receives it after the item is reclassified.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2862; Filed, February 28, 1944;
11:34 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Direction 2]

APPLICABILITY OF TABLES 3-15

The following direction is issued pursuant to General Scheduling Order M-293.

(a) Except as provided in this Direction, Tables 3-15, other than Table 7, issued pursuant to General Scheduling Order M-293 as amended September 17, 1943, remain effective under the provisions of General Scheduling Order M-293 as amended February 10, 1944 until those tables are amended.

(b) The classification of any product on any table as a Z product must be disregarded. Where a product is designated Z only, it is an undesignated product.

(c) Old orders which have been previously reported to the War Production Board on the form required by the appropriate table of M-293 at the time the report was filed need not be included on a new form specified for the product by an amendment to the table. The manufacturer may report old orders on the form he used before but must report all new orders on the form shown in the appropriate table.

This direction shall become effective March 1, 1944.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2859; Filed, February 28, 1944;
11:34 a. m.]

PART 3257—ALIPHATIC-HYDROXY-CARBOXYLIC ACIDS

[Allocation Order M-321, Revocation]

CITRIC ACID

Section 3257.1 *Allocation Order M-321* is hereby revoked. This revocation does not affect any liabilities incurred under the order. Citric acid is subject to allocation under General Allocation Order M-300 (Appendix C, Schedule 6), issued simultaneously with this revocation.

Use, delivery and acceptance of delivery of citric acid prior to April 1, 1944, will be authorized on the basis of applications filed monthly in the form heretofore prescribed in Order M-321.

Until April 1, 1944, the small order exemption will continue to be 125 lbs. per person per month, and thereafter allocations and small order exemptions will be on a quarterly basis.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2867; Filed, February 28, 1944;
11:36 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Conservation Order M-361, Direction 4]

DELIVERIES OF SOUTHERN YELLOW PINE LUMBER TO MANUFACTURERS AND REPAIRERS OF RAILROAD ROLLING STOCK AND PASSENGER CARRIERS AND MANUFACTURERS OF NEW TRUCK AND TRAILER BODIES

The following direction is issued pursuant to Conservation Order M-361:

(a) This direction which is issued in accordance with Order M-361, paragraph (d), tells how manufacturers and repairers of railroad rolling stock and passenger carriers and manufacturers of new truck and trailer bodies may get the restricted southern yellow pine lumber they need without having to file on Form WPB 2720. The manufacturer or repairer may use either the procedure outlined in this direction or file on Form WPB 2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted southern yellow pine lumber under this direction for the production or repair of locomotives, cars, passenger carriers, or for the production of new truck or trailer bodies, must endorse the following certification on his purchase orders:

All restricted southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of locomotives, cars and passenger carriers, or for their repair, or for the production of new truck or trailer bodies. Delivery may be made to me under Direction 4 to Order M-361, with the terms of which I am familiar.

Purchaser

By _____
Duly authorized official

(c) Any producer may sell, ship, or deliver restricted southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate, just as if the order were certified in the way prescribed by paragraphs (b) (1) or (b) (2) of Order M-361. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to fulfill his authorized schedules for the production of locomotives, cars and passenger carriers, for repairs of locomotives, cars and passenger carriers, or for the production of new truck and trailer bodies. For example, no one may get lumber under this direction for such purposes as bridges, buildings, grain doors, and the like, or for the repair of truck bodies. This direction does not affect purchases from firms other than producers, and does not permit distribution yards to get lumber by certificate merely because they sell to railroads or car manufacturers.

(d) Manufacturers and repairers who get any part of their lumber through the use of the above certification shall report on Form WPB 3537 thirty days after the end of each calendar quarter, furnishing the information called for on the form. The companies furnishing this information will be relieved of the necessity of providing the information called for in column (c) and item (3) on the forms WPB 2720 filed by them for lumber not covered by this direction. This reporting requirement has been approved by the Bureau

¹ No Direction 3 has been issued on M-361 and is not contemplated.

of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "locomotive", "car", "passenger carrier", and "truck and trailer body" mean the same thing they are defined as meaning in Orders L-97, L-97a, L-101, and L-253 respectively.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2852; Filed, February 28, 1944;
11:34 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-361, Direction 5]

DELIVERIES OF SOUTHERN YELLOW PINE TO PRODUCERS OF STEEL AND OTHER CONTROLLED MATERIALS

The following direction is issued pursuant to Conservation Order M-361:

(a) This direction, which is issued in accordance with Order M-361, paragraph (d), tells how a person producing controlled materials may get the restricted Southern yellow pine lumber he needs without having to file on Form WPB-2720. A producer of controlled materials may use either the procedure outlined in this direction or file Form WPB-2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted Southern yellow pine lumber for the production of controlled materials, including maintenance or repair of his plant and boxing or crating controlled materials which he produces, must endorse the following certificate on his purchase orders:

All restricted Southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to produce and deliver controlled materials which I have been directed or authorized to produce. Delivery may be made to me under Direction 5 to Order M-361, with the terms of which I am familiar.

Producer.

By _____
Duly authorized official.

(c) Any producer may sell, ship, or deliver restricted Southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate, just as if the order were certified in the way prescribed by paragraphs (b) (1) or (b) (2) of Order M-361. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to produce and deliver controlled materials he is authorized or directed to produce, including maintenance and repair of his plants producing controlled materials and boxing and crating the controlled materials for shipment. No one may use the certificate to get boxes, and no maker of boxes to sell to others can use the certificate to get lumber. "Captive plants" as defined in PR-3, Direction 3 may use the certificate to obtain lumber to make boxes. Lumber obtained under this direction by any person for maintenance and repair may not exceed 10% of the total he gets under the direction.

(d) Manufacturers who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter with-

No. 42—4

in thirty days after the end of each calendar quarter stating the entire amount of Southern yellow pine lumber delivered to them during the quarter, whether obtained under this direction or in some other way and stating the percent of all lumber used during the quarter for maintenance and repair of plant. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "controlled materials" means steel, copper, and aluminum, as specified in CMP Regulation 1, paragraph (b) (1) and in the forms and shapes indicated in CMP Regulation 1, Schedule 1.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2853; Filed, February 28, 1944;
11:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 4]

DELIVERIES OF HARDWOOD LUMBER TO MANUFACTURERS AND REPAIRERS OF RAILROAD ROLLING STOCK AND PASSENGER CARRIERS, AND MANUFACTURERS OF NEW TRUCK AND TRAILER BODIES.

The following direction is issued pursuant to Conservation Order M-364:

(a) This direction which is issued in accordance with Order M-364, paragraph (d), tells how manufacturers and repairers of railroad rolling stock and passenger carriers and manufacturers of new truck and trailer bodies may get the restricted hardwood lumber they need without having to file on Form WPB 2720. The manufacturer or repairer may use either the procedure outlined in this direction or file on Form WPB 2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted hardwood lumber under this direction for the production or repair of locomotives, cars, passenger carriers, or for the production of new truck or trailer bodies, must endorse the following certification on his purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of locomotives, cars and passenger carriers, or for their repair, or for the production of new truck or trailer bodies. Delivery may be made to me under Direction 4 to Order M-364, with the terms of which I am familiar.

Purchaser

By _____
Duly authorized official

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate, just as if the order were certified in the way prescribed by paragraphs (b) (1) or (b) (2) of Order M-364. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to fulfill his authorized schedules for the production of locomotives, cars and passenger carriers, for repairs of locomotives, cars and passenger carriers, or for the production of new truck and trailer

bodies. For example, no one may get lumber under this direction for such purposes as bridges, buildings, grain doors, and the like, or for the repair of truck bodies. This direction does not affect purchases from firms other than producers, and does not permit distribution yards to get lumber by certificate merely because they sell to railroads or car manufacturers.

(d) Manufacturers and repairers who get any part of their lumber through the use of the above certification shall report on Form WPB 3637 thirty days after the end of each calendar quarter, furnishing the information called for on the form. The companies furnishing this information will be relieved of the necessity of providing the information called for in column (c) and item (3) on the forms WPB 2720 filed by them for lumber not covered by this direction. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "locomotive", "car", "passenger carrier", and "truck and trailer body" mean the same thing they are defined as meaning in Orders L-97, L-97-a, L-101, and L-253 respectively.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2854; Filed, February 28, 1944;
11:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Conservation Order M-364, Direction 5]

DELIVERIES OF HARDWOOD LUMBER TO PRODUCERS OF STEEL AND OTHER CONTROLLED MATERIALS

The following direction is issued pursuant to Conservation Order M-364:

(a) This direction, which is issued in accordance with Order M-364, paragraph (d), tells how a person producing controlled materials may get the restricted hardwood lumber he needs without having to file on Form WPB 2720. A producer of controlled materials may use either the procedure outlined in this direction or file Form WPB 2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted hardwood lumber under this direction for the production of controlled materials, including maintenance or repair of his plant and boxing or crating controlled materials which he produces, must endorse the following certificate on his purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to produce and deliver controlled materials which I have been directed or authorized to produce. Delivery may be made to me under Direction 5 to Order M-364, with the terms of which I am familiar.

Producer.

By _____
Duly authorized official.

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate, just as if the order were certified in the way prescribed by paragraphs (b) (1) or (b) (2) of Order M-364. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to produce and deliver controlled

materials he is authorized or directed to produce, including maintenance and repair of his plants producing controlled materials and boxing and crating the controlled materials for shipment. No one may use the certificate to get boxes and no maker of boxes to sell to others can use the certificate to get lumber. "Captive plants" as defined in PR-3, Direction 3 may use the certificate to obtain lumber to make boxes. Lumber obtained under this direction by any person for maintenance and repair may not exceed 10% of the total he gets under this direction.

(d) Manufacturers who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter within thirty days after the end of each calendar quarter stating the entire amount of hardwood lumber delivered to them during the quarter, whether obtained under this direction or in some other way and stating the percent of all lumber used during the quarter for maintenance and repair of plant. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "controlled materials" means steel, copper, and aluminum, as specified in CMP Regulation 1, paragraph (b) (1) and in the forms and shapes indicated in CMP Regulation 1, Schedule 1.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2855; Filed, February 28, 1944;
11:35 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-217,
Interpretation 4]

FOOTWEAR

The following official interpretation is issued to Conservation Order M-217:

The definition of "price range" in paragraph (b) (11) of Conservation Order M-217 states that price range shall have the usual trade significance so long as the highest 1st price in the range does not exceed the lowest by more than 10% or 25¢ a pair, whichever is the greater. The January 12, 1944 amendment in paragraph (b) (10) (III) of the order allows manufacturers of misses' and children's and youths' and boys' footwear to consider their production in each type up to a wholesale price of \$1.75 a pair as one line. This does not, however, permit manufacturers to add 25¢ to the \$1.75 and consider all misses' and children's and youths' and boys' footwear up to \$2.00 as falling within the line. The exemption added by the amendment is one superimposed upon the existing treatment of price lines and cannot be construed to apply to any footwear having a net wholesale price of more than \$1.75.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2861; Filed, February 28, 1944;
11:34 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300 as Amended
Feb. 28, 1944]

CHEMICALS AND ALLIED PRODUCTS

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of those chemicals and allied products subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.1000 *General Allocation Order M-300—(a) Purpose and effect.* The purpose of this general allocation order is to provide a central framework for allocation of chemicals and allied products. Materials subject to this order are listed in Appendices A, B and C attached.

Three general systems of allocation are provided for in this order, following the outline of allocations now in general use for chemicals. Appendix A materials are allocated on customers' Form WPB-2945 (formerly PD-600) and suppliers' Form WPB-2946 (formerly PD-601). Appendix B materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of certified statements of proposed use from each customer. Appendix C materials are allocated on suppliers' Form WPB-2947 (formerly PD-602), on the basis of applications on customers' Form WPB-2945 (formerly PD-600) for large orders and certified statements of end use to the supplier from customers ordering intermediate quantities.

A separate schedule under this general order is issued for each subject material. The schedule details the information required for applications, and may contain special exemptions or additional requirements modifying the terms of the general order.

The appendices in this order outline the requirements for applying for each material and show the governing schedule numbers.

The general order will be reissued from time to time with all changes to date. New or amended schedules will be issued at the same time, as far as possible. Schedules remain in effect until individually amended and will not be reissued each time the general order is reissued.

(b) *Definitions.* For the purpose of this order:

(1) "Material" means any chemical or allied product listed in Appendix A, B or C, as defined in the schedule governing that material.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Supplier" means any person who produces or imports a material or who purchases a material for resale as such.

(4) "Initial allocation date" means the date when a material first becomes subject to allocation under this order, or when it first became subject to allocation under another order prior to its transfer to this order, whichever date is earlier.

Appendix A Materials—General Requirements

(c) *Delivery, acceptance of delivery, and use.* On and after the initial allocation date, no supplier of an Appendix A material shall deliver it to any person, no person shall accept delivery of an Appendix A material from a supplier,

and no person shall use an Appendix A material, except as specifically authorized in writing by the War Production Board upon application under this order.

Appendix B Materials—General Requirements

(d) *Delivery and use by suppliers.* On and after the initial allocation date, no supplier of an Appendix B material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(e) *Certified purchase orders.* With respect to material ordered for delivery on and after the initial allocation date:

(1) Each person ordering an Appendix B material from a supplier shall furnish a certified statement of end use with his purchase order in accordance with Appendix D.

(2) Each person shall use material delivered on a certified purchase order only as certified, unless advised by his supplier that a particular specified use has been denied or limited by the War Production Board or unless otherwise specifically authorized in writing by the War Production Board. However, any person not a supplier may redeliver material to a supplier without restriction.

(3) Each supplier within a week after receipt of authorization to ship shall notify his customer of denial in whole or in part by the War Production Board of any item or items on a certified purchase order placed by the customer.

Appendix C Materials—General Requirements

(f) *Delivery.* On and after the initial allocation date, no supplier of an Appendix C material shall deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(g) *Acceptance of delivery.* On and after the initial allocation date, no person shall accept delivery during any allocation period from all suppliers of an aggregate quantity of an Appendix C material in excess of the quantity specified in Column 3 of Appendix C, except as specifically authorized in writing by the War Production Board upon application under this order.

(h) *Use.* On and after the initial allocation date, no person shall use an Appendix C material except as follows:

(1) As specifically authorized in writing by the War Production Board upon application on Form WPB-2945 (formerly PD-600); or

(2) For the purpose and in the quantity stated in the use certificate furnished with the purchase order against which the material was delivered, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(i) *Certified purchase orders.* (1) Each person ordering an aggregate quantity of an Appendix C material within the limits specified in Column 4 of Appendix C from all suppliers for delivery during any allocation period, shall furnish each supplier with a use certificate in accordance with Appendix D.

(2) Each supplier within a week after receipt of authorization to ship shall notify his customers of denial in whole

or in part by the War Production Board of any item or items on their certified purchase orders.

*Additional Reports and Certificates—
Special Requirements*

(j) *Past use and inventory report.* Periodic or one-time reports on Form WPB-3442 covering past use and inventory may be required by the applicable schedule.

(k) *Supplementary use certificates.* Persons required to file statements of use with respect to materials subject to this order may be required by the applicable schedule to obtain supplementary statements of use from their customers.

*Existing Stocks on Initial Allocation
Date*

(l) *Suppliers' stocks.* The restrictions on delivery and use of Appendix A, B, and C materials shall apply to all stocks of each supplied on the initial allocation date. Stocks of suppliers who resell exclusively on small orders are exempted by paragraph (o) (4).

(m) *Exemption for stocks of suppliers who consume.* If a supplier customarily maintains inventories of an Appendix A, B or C material for his own consumption separately, both physically and on his books, from his inventory of the material for sale, his stocks on the initial allocation date for his own consumption shall be subject to the provisions of the following paragraph (n) regarding consumers' stocks and not to the restrictions of paragraph (l) above regarding suppliers' stocks. Prior to the initial allocation date, no supplier shall transfer any more material to his inventory as a consumer than his rated orders for derivatives of the material compared with his rated orders for the material itself would permit under Priorities Regulation No. 1.

(n) *Consumers' stocks.* Any person not a supplier may freely use, deliver or accept delivery of any Appendix A, B or C material which he had in stock on the initial allocation date or which was in transit consigned to him prior to that date, unless otherwise expressly provided in the applicable Schedule (indicated by asterisk in Column 7 of Appendix A).

Small Order Exemption

(o) *Small order deliveries by suppliers.* A supplier may fill small orders without application or specific authorization, if he delivers not more than the small order exemption quantity specified in Appendix A, B or C to any customer in any allocation period, if he has received small order certificates when so required, and if the total amount delivered does not exceed the sum of the following:

(1) The amount which he has been specifically authorized, upon application on the applicable supplier's form (WPB-2946 or 2947) to deliver on small orders;

(2) The amount which he has received pursuant to specific authorization or certification for redelivery on small orders;

(3) The amount which he himself acquired on small orders and has not used for other purposes;

(4) The amount which he had on hand on the initial allocation date, if he sells exclusively on small orders.

(p) *Acceptance of delivery and use of small order quantities.* Any person during each allocation period may use and accept delivery of the small order exemption quantity provided in Appendices A, B and C for each material, provided that:

(1) The total accepted from all suppliers during each allocation period shall not exceed in the aggregate one small order exemption quantity;

(2) Quantities received under the small order exemption shall be used only for experimental purposes if additional quantities of the material are received during the same allocation period on specific allocation;

(3) Use of the material is subject to any special limitations on use contained in the applicable schedule (noted with a "u" in the small order exemption columns of Appendices A, B and C);

(4) Acceptance is subject to the filing of a special small order certificate when required by the applicable schedule (noted with a "c" in the small order columns of Appendices A and C).

*Territorial and Import-Export
Provisions*

(q) *Territorial limitations.* This order shall apply only to acts occurring within the forty-eight States and the District of Columbia, unless otherwise provided in the applicable schedule.

(r) *Imports.* Application and authorization under this order shall not be required for importation of an Appendix A, B and C material into the United States, acceptance of delivery of the material by the consignee and delivery by such consignee to, and acceptance by, any person who purchased or contracted to purchase the material prior to its importation. No person who acquires an Appendix A, B or C material under this exemption shall use it after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order. Nothing contained in this order limits the requirements of General Imports Order M-63.

(s) *Exports.* (1) No supplier shall export or deliver for export on Appendix A, B or C material after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order, or except to fill exempt small orders. A producer who is also an exporter shall treat the export part of his operations as a separate entity for the purpose of this order. An exporter applying on Form WPB-2945 (formerly PD-600) for allocation and to the Foreign Economic Administration for an export license for the same material subject to this order, shall file both sets of applications together with the Foreign Economic Administration.

(2) Authorized deliveries for export must be made within the authorized period, unless the exporter notifies the sup-

plier and the War Production Board in writing that delivery must be postponed to a later specific period, in which case the limitation of duration of authorization in paragraph (t) is automatically waived, subject to any special directions from the War Production Board. After an exporter has accepted an authorized delivery for export he may export the material at any time to the destination for which allocation was made without further application or authorization under this order.

Duration of Authorizations

(t) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable in the next month. However, authorization shall terminate if the purchaser fails to place his order before the end of the allocation period or if the purchaser requires postponement of delivery beyond 10 days after the allocation period.

(u) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery after the allocation period but shall notify the War Production Board and hold the material intact subject to direction from the War Production Board if he knows or has reason to believe that the shipment was made after the authorization for delivery had expired.

(v) *Duration of authorization for use.* Authorization for use on Form WPB-2945 (formerly PD-600) shall be valid during the allocation period for which the authorization was issued and the following month. Any unused portion remaining thereafter shall not be used for any purpose until further authorized or directed by the War Production Board.

Action by War Production Board

(w) *Individual actions.* In addition to regular allocations under this order, the War Production Board may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of an Appendix A, B or C material; or

(2) Production or processing of an Appendix A, B or C material; or

(3) Preparation and filing of forms and certificates required by this order or by its schedules, subject to approval by the Bureau of the Budget when required by Federal Reports Act of 1942.

Miscellaneous Provisions

(x) *Miscellaneous provisions—(1) Toll arrangements.* In the case of any toll arrangement where raw materials are converted into any Appendix A, B or C material by any person for the owner of the raw materials, the owner shall be considered the producer for the purpose of applications and authorizations under this order, and the Appendix A, B or C material may be delivered to him without restriction.

(2) *Laboratories.* This order is subject to the provisions of Supplementary Order P-135-a, which contains optional

provisions for filing of small order and end use certificates by laboratories ordering reagent chemicals, and for acceptance by laboratories of small order deliveries of reagent chemicals.

(3) *Equivalent quantities.* The provisions of this order relate to quantities of material and not to the identity of any particular lot of material.

(4) *Full container adjustments.* A specifically authorized delivery (not including an exempt small order delivery) may be increased to the extent necessary to avoid shipping partly filled containers, if a container in the nearest practicable size is used. The excess quantity shall be deducted from subsequent authorized shipments to the same customer. The person accepting overshipment shall hold the excess material as an advance shipment on subsequent allocations, and shall use it only for the purpose authorized for the subsequent allocation against which it is credited, or shall hold it in inventory subject to further directions from the War Production Board.

(5) *Allocated inventory.* Material which is allocated for inventory shall not be used or disposed of for any purpose, except as specifically directed by the War Production Board. Material which has not been used for the purpose for which it was allocated shall revert to inventory as if originally allocated for inventory. Pending receipt of material allocated for a particular purpose, stocks on hand may be used for that purpose. The quantity withdrawn from allocated inventory must be replaced upon receipt of the allocated material.

(6) *Applicability of regulations.* This order, its schedules, and all transactions affected thereby, are subject to all applicable War Production Board regulations, as amended from time to time.

(7) *Approval of reporting requirements.* Forms WPB-2945, 2946, 2947 and 3442, and the instructions in this order and in its Appendices and schedules for applications and reports regarding materials subject to this order, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(8) *Violations.* Any person who willfully violates any provision of this order or of its schedules or who, in connection with such order or schedule, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priority assistance.

(9) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemical Bureau, Washington 25, D. C.; Ref: M-300—(specify applicable schedule number).

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—ALLOCATION USING FORMS WPB-2945 AND WPB-2946 (FORMERLY PD-600 AND 601)

Material	Schedule	Customers' filing date (WPB-2945)	Suppliers' filing date (WPB-2946)	Small order exemption per allocation period ("u" indicates use restriction in schedule; "e" indicates small order certificate required by schedule).	Report on Form WPB-3442	Initial allocation date and allocation period ("indicates user's stocks frozen")
1	2	3	4	5	6	7
Nicotinic acid.....	1	15th.....	20th.....	1 kilogram.....	None.....	6-4-43 Month
Anhydrous hydrofluoric acid.	4	15th.....	20th.....	600 lbs.....	None.....	3-1-44 Month

APPENDIX B—ALLOCATION USING SUPPLIERS' FORM WPB-2947 (FORMERLY PD-602) WITH CUSTOMERS' USE CERTIFICATES

NOTE: "Peroxygen chemicals" through "Sodium perborate" added Feb. 28, 1944.

Material	Schedule	Suppliers' filing date (WPB-2947)	Small order exemption per allocation period—No certificate required ("u" indicates use restriction in schedule)	Report on Form WPB-3442	Initial allocation date and allocation period
1	2	3	4	5	6
Riboflavin.....	2	20th.....	100 grams.....	None.....	4-1-43 Month
Peroxygen chemicals: Hydrogen peroxide..... Sodium peroxide..... Sodium perborate.....	5	20th.....	600 lbs..... 75 lbs..... 25 lbs.....	Yes.....	4-1-44 Month

APPENDIX C—ALLOCATION USING FORM WPB-2947 (FORMERLY PD-602) FOR SUPPLIERS, AND CUSTOMERS' FORM WPB-2945 (FORMERLY PD-600) FOR LARGE ORDERS AND USE CERTIFICATES FOR INTERMEDIATE ORDERS

NOTE: "Citric acid" added Feb. 28, 1944.

Material	Schedule	Customer's applications		Small order exemption per allocation period ("u" indicates use restriction in schedule; "e" indicates small order certificate required by schedule)	Suppliers' filing date (WPB-2947)	Report on Form WPB-3442	Initial allocation date and allocation period
		On Form WPB-2945 filing date and quantities per allocation period from all suppliers	Use certificate quantities per allocation period from all suppliers				
1	2	3	4	5	6	7	8
Thiamine hydrochloride.....	3	15th—more than 2,000 grams.	Between 100—2,000 grams.	100 grams.....	20th....	None....	6-4-43 Month
Citric acid.....	6	1st—15,000 lbs. or more.	Between 440—15,000 lbs.	440 lbs. per quarter.	10th....	On Form WPB 2772 instead.	7-1-43 Quarterly

APPENDIX D—USE CERTIFICATE GENERAL INSTRUCTIONS

(1) Each person required to file a use certificate with a purchase order for material subject to this order shall furnish the supplier with a certified statement of proposed use of the material in substantially the following form, either placed on or attached to the purchase order:

(Statement of quantity of listed material required for each specified product and end use—see instructions in the applicable schedule and the instructions in paragraphs (10) and (11) of Appendix E for description of proposed use.)

USE CERTIFIED—REF. M-300

Name of purchaser

By: -----
(Signature and title of
duly authorized officer)

(2) In the event two or more end uses are involved in a single purchase order, the amount of the material required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the supplier to advise his customer by purchase order number and item number as to the action taken in the

supplier's application for authorization to make delivery.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941 (Lend-Lease Act) shall constitute a use certificate for the purpose of this order, if the purchase order specifies the Lend-Lease contract or requisition number.

(4) A certified statement on Form WPB-2945 (formerly PD-600), or on any equivalent form, of quantities of material ordered for each intended product and end use, shall constitute a use certificate for the purpose of this order.

(5) The special certificate specified in Supplementary Order P-135-a may be used by laboratories when applicable instead of the above certificate.

APPENDIX E—FORMS WPB-2945, 2946 AND 2947—GENERAL INSTRUCTIONS

CUSTOMERS' FORMS

Customers' Form WPB-2945 (formerly PD-600). Each person requiring specific authorization to use or accept delivery of a material subject to this order shall file application on Form WPB-2945 in the manner prescribed therein, subject to the following general instructions:

(1) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(2) *Special instructions in schedules.* The applicable schedule may contain special instructions for applying for the particular material, supplementing or modifying the following general instructions.

(3) *When application is required.* Application for specific authorization is required for use or acceptance of delivery during any allocation period of a quantity exceeding the small order exemption in Column 5 of Appendix A, or of a quantity specified in Column 3 of Appendix C, or for use of an Appendix A, B or C material which has previously been allocated for a different purpose or for inventory.

(4) *Time of filing.* Application for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 3 of Appendix A or C.

(5) *Number of copies and where to file.* Prepare five copies, retain one, send one (reverse side blank) to the supplier, if any, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300----- (specify schedule number). Exporters, however, when applying to the Foreign Economic Administration for an export license for material for which War Production Board allocation is requested, shall send both sets of applications to the Foreign Economic Administration.

(6) *Applications regarding suppliers and inventory.* When applying only for use from inventory, specify "Inventory" as supplier in the heading. When applying for material from other companies as suppliers, file separate sets of applications for each supplying company. A combined application may be made to accept delivery and use material from another company as supplier, and to use an additional quantity from inventory. It will be presumed that applications which name another company in the heading as supplier relate only to acceptance of delivery and use of material from that supplier, unless it is clearly indicated that part of the application relates to use of an additional quantity from inventory. This may be indicated by specifying the requested quantity from inventory separately in Column 2 (quantities requested) and by specifying in Column 10 (Remarks) "From Inventory".

(7) *Heading.* Fill in as indicated, specifying as WPB Order No., "M-300-----" (specify Schedule number).

(8) *Table I.* Specify in the heading the allocation period for which authorization for acceptance of delivery or use is sought.

(9) *Columns 1 and 2.* Fill in as indicated, subject to the instructions in the applicable Schedule.

(10) *Column 3.* Specify the proposed primary use of the material sought in terms of the proposed primary product to be made from the material (as indicated in the applicable Schedule), or specify the use as for resale, export or inventory of the requested material in original form.

(11) *Column 4.* Fill in as follows:

Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (and Schedule number, if allocated under General Allocation Order M-300).

Opposite any primary product in Column 3 which is not under allocation, specify in Column 4 the end use accurately and briefly, giving Army or Navy specification or contract numbers, or Lend-Lease requisition and contract numbers, when practicable.

Opposite "resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for exempt small orders". Suppliers who resell in both large and small quantities should specify "upon further au-

thorization" for the total quantity ordered, and should apply on their suppliers' Form WPB-2946 or 2947 for authorization to deliver an aggregate quantity for small orders.

Opposite "export" in Column 3 specify in Column 4 the name of the individual company or governmental agency to whom, or for whose account, the material will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely specify the Lend-Lease contract and requisition number.

Opposite "Inventory" in Column 3, write into Column 4, "subject to further authorization".

(12) *Columns 9 and 10.* Leave blank, except for remarks, if any, in Column 10.

(13) *Tables II, III and IV.* Fill in as indicated except as otherwise provided in the applicable schedule. In Columns 15 and 16, report entire physical inventory, whether or not subject to valid authorization or exemption on the dates specified. Suppliers who both sell and consume the material shall keep separate accounts of their sales and consumption inventories, reporting only the latter on customers' Form WPB-2945.

(14) *Table V.* Fill in only when and as required by the applicable schedule.

SUPPLIERS' FORMS

Suppliers' Forms WPB-2946 and 2947 (formerly PD-601 and 602). Each supplier requiring specific authorization to make delivery shall file application on Form WPB-2946 for an Appendix A material and on Form WPB-2947 for an Appendix B or C material, in the manner prescribed in these forms, subject to the following general instructions:

(15) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(16) *Special instructions in schedule.* The applicable schedule may contain special instructions for applications to deliver the particular material, supplementing or modifying the following general instructions.

(17) *When application to deliver is required.* Application for specific authorization to deliver an Appendix A, B or C material is required for any delivery by a supplier after the initial allocation date which is not subject to small order exemption.

A supplier who wishes to divert to his own use any part of his own production shall list his own name on the applicable supplier's form as in the case of any other customer, in addition to applying on customer's Form WPB-2945 (formerly PD-600) when so required.

(18) *Time of filing.* Applications for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 4 of Appendix A or Column 3 of Appendix B or Column 6 of Appendix C.

(19) *Number of copies and where to file.* Prepare five copies, retain one, and send four copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300----- (specify schedule number).

(20) *Number of sets.* File a separate set of forms for each separately located plant or distributing point, unless otherwise expressly provided in the applicable schedule.

(21) *Heading.* Fill in as indicated, specifying as WPB Order No., "M-300-----" (specify schedule number).

(22) *Table I.* Fill in as indicated on Form WPB-2946 (formerly PD-601). List customers alphabetically, as far as practicable. On Form WPB-2947 (formerly PD-602) group customers according to end use and list alphabetically within each group, as far as practicable. If the applicant supplier wishes to use any part of his own production, he should list his own name as a customer on his supplier's form as in the case of any

other customer. An aggregate quantity may be requested for exempt small orders without listing individual customers' names. In the case of Appendix C materials specify "WPB-2945" without further use description in Column 1-a of Form WPB-2947 opposite the names of customers who have filed copies of Form WPB-2945 with the applicant supplier.

(23) *Table II.* Fill in as indicated. In Column 10 and 13 report stocks on physical inventory basis regardless of whether any part of the stock is subject to valid authorization to deliver on the date specified. In Column 16, specify a quantity no greater than what is estimated will be available for allocation during the requested allocation period, taking into account undelivered balances on still valid prior authorizations.

[F. R. Doc. 44-2269; Filed, February 23, 1944; 11:36 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 5]

PEROXYGEN CHEMICALS

§ 3293.1005 *Schedule 5 to General Allocation Order M-300—(a) Definition.* "Peroxygen chemicals" mean any one or more of the following: hydrogen peroxide; sodium peroxide; sodium perborate.

(b) *General provisions.* Peroxygen chemicals are subject to allocation under General Allocation Order M-300 as Appendix B materials. The initial allocation date is April 1, 1944. The allocation period is the calendar month.

(c) *Small order exemption.* The small order exemption, per month, for each of the peroxygen chemicals (i. e., the amount which any person may receive from all suppliers) is as follows:

- (1) Hydrogen peroxide (100 volume equivalent), 600 pounds.
- (2) Sodium peroxide, 75 pounds.
- (3) Sodium perborate, 25 pounds.

(d) *Supplier's application on Form WPB-2947.* (1) Each supplier requiring authorization to use or deliver the peroxygen chemicals shall file application on Form WPB-2947 (formerly PD-602) on or before the 20th day of the month preceding the month for which allocations are sought. A separate set of forms shall be prepared and filed for each of the peroxygen chemicals for which authorization to use or deliver is requested.

(2) Each supplier shall list, individually, the names of customers who have placed orders for more than the quantity permitted for small orders. No such individual order shall be listed or filled unless the customer has filed with the supplier the required end-use certificate. In addition, an item should be included for "small orders received" which shall show the aggregate quantity requested to fill small orders without listing the names of the individuals placing the small orders. A supplier may also request, as a separate item, an estimated quantity to cover "small orders anticipated."

(3) Normally the War Production Board will issue its authorizations and directions on Form WPB-2947 and, in addition to making individual allocations for listed customers, will allocate a lump sum for small orders.

(4) Form WPB-2947 should be completely filled in. The unit of measure for the peroxygen chemicals is pounds. No

grade need be specified except as to hydrogen peroxide in which case the volume of the material shall be stated. In Columns 5 and 5-a of Table I the supplier may, but need not, enter the quantity which he recommends for delivery. In Column 7 of Table I the supplier should enter a statement of the average monthly purchases made by each customer listed in Column 1 during the six months period of January to June, inclusive, 1943.

(e) *Customer's certificate of end use.*

(1) Each person ordering for delivery in any month more than the quantities of any of the chemicals permitted by the small order exemption shall furnish to each supplier with whom an order is placed a certified statement of the proposed use of such chemicals. The certification shall be in the form and subject to the instructions set forth in Appendix D of General Allocation Order M-300.

(2) Customers' orders accompanied by such certifications should be in the hands of suppliers not later than the 14th day of the month preceding the period during which delivery is sought. This is necessary to enable suppliers to file on time their requests for allocations with the War Production Board.

(3) A certificate shall separately list each of the peroxygen chemicals ordered and shall also separately state the quantity of each of the peroxygen chemicals required for a particular primary product and end use.

(4) No supplier shall deliver any of the peroxygen chemicals to any person when he knows or has reason to believe such person's certificate to be false; but in the absence of such knowledge or reason to believe, the supplier may rely on the certificate.

(f) *Customer's one-time report.* (1) Each person (excluding government departments or agencies) who orders for delivery in any month more than the exempt quantity of any of the peroxygen chemicals shall file with the War Production Board—one time only with respect to any one of such chemicals—a report on Form WPB-3442. A separate report should be filed for each of the peroxygen chemicals so ordered. This report is required for the purpose of advising the War Production Board as to the quantity of each of the peroxygen chemicals consumed during the calendar year 1943. A report for each of the peroxygen chemicals shall be filed not later than the 20th day of the month preceding the month during which delivery of such chemical is sought, but in any case need not be filed before March 20, 1944.

(2) Copies of Form WPB-3442 may be obtained at local field offices of the War Production Board. One signed copy shall be forwarded to the War Production Board, Washington 25, D. C. In Section I, above Column (c) specify "calendar year, 1943"; Columns (d) to (g), inclusive, may be left blank. No grade need be specified except in the case of hydrogen peroxide, in which case the volume of the material should be specified in Column (b). In Section II, Column (b) the date to be specified is December 31, 1943; in Column (c) the date to be speci-

fied is the last day of the month preceding the month in which the report is filed. Column (2) may be left blank.

(g) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Reference: M-300.

NOTE: Forms WPB-2947 and 3442 and the instructions in this schedule and the appendices of order M-300 for applications for the peroxygen chemicals have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2868; Filed, February 28, 1944;
11:36 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 6]

CITRIC ACID

§ 3293.1006 *Schedule 6 to General Allocation Order M-300—(a) Definition.* "Citric Acid" means hydroxy tricarballic acid from whatever source derived, in dry form only.

(b) *General provisions.* Citric acid is subject to the provisions of General Allocation Order M-300 as an Appendix C material. The initial allocation date is July 1, 1943, when citric acid was first put under allocation by Allocation Order M-321 (revoked). The allocation period is the calendar month through March, 1944, and is the calendar quarter commencing with the second quarter of 1944.

After April 1, 1944, a customer may purchase 440 lbs. or less per quarter from all suppliers without restriction, must furnish use certificates with each order when seeking delivery of between 440 and 15,000 lbs. per quarter from all suppliers, and must file on Form WPB-2945 for 15,000 lbs. or more per quarter from all suppliers.

(c) *Special provisions.* Use, delivery and acceptance of delivery prior to April 1, 1944, will be authorized on the basis of applications filed in the form heretofore prescribed in the citric acid Order M-321 (revoked). The small order exemption prior to April 1, 1944, is 125 lbs. per person per month.

(d) *Supplier's application on Form WPB-2947.* Each supplier seeking authorization to deliver shall file application on Form WPB-2947 (formerly PD-602). The filing date is the 10th of the month preceding the proposed delivery quarter. Send three copies (one certified) to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-300-6. The unit of measure is pounds. Specify grade as crude, technical, anhydrous, crystalline, granular, U. S. P., C. P., reagent, or other specified grade. File a separate set of forms for each different grade of citric acid. A consolidated set of forms may be filed for all plants. In Table I first list in Column 1

the names of customers who have filed WPB-2945 forms with the applicant and in Column 1a specify "WPB-2945"; second, list in Column 1 the names of customers who have filed use certificates with the applicant and in Column 1a transcribe the uses stated in such certificates; third, specify in Column 1 "aggregate small order deliveries" and leave Column 1a blank; fill in other columns as indicated. Leave columns blank relating to rolling stock requirements. Fill in Table II as indicated. Inventory of citric acid previously allocated for the supplier's own manufacturing use should not be reported on Form WPB-2947 (but should be reported in Table II of Form WPB-2945).

(e) *Customers' applications for authorization on WPB-2945.* Each person seeking delivery for 15,000 lbs. or more per quarter from all suppliers shall file application for authorization on Form WPB-2945 (formerly PD-600). The filing date is the first day of the month preceding the requested allocation quarter. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-300-6, one copy (reverse side blank) to the supplier and retain one copy. The unit of measure is pounds. Specify grade as crude, technical, anhydrous, crystalline, granular, U. S. P., C. P., reagent or other specified grade. In Column 3 specify primary products as liquid beverages, beverage powders, foods, sodium citrate, potassium citrate, ferric ammonium citrate, ammonium citrate, citrate of magnesia, effervescent salts, or as other specified products, or the primary use may be specified as resale, inventory, or export of citric acid as such. In Column 4 specify end use (see paragraph (11) of Appendix E) and indicate percent of product required for each of the following:

Direct Army or Navy contracts.
Post exchanges.
Ship service stores.
Commissaries.
Canteens.
Civilian.
-Export.
Lend-Lease.

Fill in Tables II and III as indicated, specifying inventory in Table II on a physical basis regardless of authorizations or exemptions. However, a supplier who keeps separate inventories of citric acid, both physically and on his books, for the purpose of sale and for his own manufacturing use, shall report in Table II only his inventory for his own use. Leave Tables IV and V blank.

(f) *Certified uses with purchase orders.* Each person placing purchase orders for delivery of between 440 and 15,000 lbs. per quarter in the aggregate from all suppliers shall furnish each supplier with a certified statement of proposed use in the form prescribed in Appendix D of General Allocation Order M-300. Describe proposed use as shown in paragraph (e) above.

(g) *One-time report.* Each person seeking authorization to use or accept delivery of citric acid in excess of 440 lbs. per calendar quarter shall mail to

or file with the War Production Board a report of inventory and past use on Form WPB-2772 at least ten days prior to the initial filing of a use certificate or a WPB-2945 form pursuant to this order, whichever is filed first. Any person who has filed this form once in accordance with this schedule or Allocation Order M-321 (revoked) need not file it again.

(h) *Approval of reporting requirements.* Forms WPB-2947, 2945 and 2772 and the instructions in this schedule and the appendices of Order M-300 for applications and reports concerning citric acid have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications to War Production Board.* All reports filed hereunder and all communications concerning this schedule shall, unless otherwise directed, be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-300-6.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2863; Filed, February 28, 1944;
11:34 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-373]

VITAMIN A

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of Vitamin A for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.601 Allocation Order M-373—

(a) *Definitions.* (1) "Vitamin A" means vitamin A derived from or contained in fish liver oils or fish viscera oils, in crude or refined form. The term includes, but is not limited to Vitamin A concentrates and esters and Vitamin A in blended oils. The term does not include pro-vitamins A such as carotenes, cryptoxanthin, etc.; nor Vitamin A contained in oils which have less than 1000 USP-XII units of Vitamin A per gram, or in oils in which the number of USP-XII units of Vitamin A per gram is less than five times the number of USP-XII units of Vitamin D per gram; nor Vitamin A in cod liver oil; nor Vitamin A in standard dosage form (tablets, capsules, ampuls, solutions, etc.) or in retail pharmaceutical packages; nor Vitamin A compounded or mixed in foods or feeds.

(2) "Concentrate" means any concentrate of Vitamin A derived from fish liver oils, fish viscera oils, other fish oils, or from fish livers or viscera if the concentration of Vitamin A in the product is increased beyond four times that in the original oil, or in the case of livers or viscera, beyond four times that of the oil which would have been obtained by ordinary extraction methods.

(3) "Supplier" means any producer, importer, concentrator, or blender, or

any person who purchases Vitamin A for resale as such without further processing or admixture, but does not include an exporter.

A supplier who also exports Vitamin A shall treat his export operations as a separate entity from his other operations for the purpose of this order.

(4) "Use" means the incorporation of Vitamin A into pharmaceutical preparations, feeds, foods and the like, and includes blending and concentrating Vitamin A and the packaging of Vitamin A into retail pharmaceutical units. Authorization to use Vitamin A for any purpose carries with it authorization to perform all intermediate operations.

(5) "Unit of measure" is expressed in terms of USP-XII units of Vitamin A determined either on the basis of animal assay or spectrophotometric analysis.

Requirements for February and March 1944

(b) *Restrictions on acceptance of delivery.* During the period from February 28 to March 31, 1944, inclusive, no person shall accept delivery of more than 500,000,000 USP-XII units of Vitamin A in the aggregate from all suppliers, except Vitamin A in transit consigned to him on February 28, 1944, or except as specifically authorized in writing by the War Production Board upon application pursuant to Appendix B.

(c) *Restrictions on delivery.* No supplier shall deliver Vitamin A which he knows or has reason to believe would be accepted in violation of paragraph (b) above.

(d) *Restrictions on use.* During the period from February 28 to March 31, 1944, inclusive, no person shall use more Vitamin A than 12% of the quantity which he used during all of 1943, except as specifically authorized in writing by the War Production Board upon application pursuant to Appendix B. In computing quantities used currently and during the base period, exclude quantities used in fulfillment of U. S. Government contracts or subcontracts.

Requirements Beginning April 1, 1944

(e) *Restrictions on delivery, acceptance of delivery and use.* Beginning April 1, 1944, no supplier shall deliver Vitamin A to any person, no person shall accept delivery of Vitamin A from a supplier, and no person shall use Vitamin A, except as specifically authorized in writing by the War Production Board upon application pursuant to Appendices B and C.

(f) *User's one-time base period report.* Each person (including a supplier), at or before the time when he files his initial application in accordance with Appendix B for authorization to use or accept delivery of Vitamin A, shall file a one-time report on his past use and inventory in accordance with Appendix A.

(g) *Small order exemption.* Specific authorization is not required for:

(1) Acceptance of delivery and use by any person of 500,000,000 USP-XII units or less of Vitamin A in the aggregate during any calendar month from all suppliers.

(2) Delivery by any supplier to any customer in any calendar month of 500,000,000 USP-XII units or less if the total amount delivered, on all such small orders does not exceed the sum of the following:

(i) The amount which he has been specifically authorized, upon application pursuant to Appendix C, to deliver on small orders;

(ii) The amount which he has been specifically authorized, upon application pursuant to Appendix B, to receive or use for the purpose of filling small orders;

(iii) The amount which he himself acquired on small orders and has not used for other purposes;

(iv) The amount which he had on hand on April 1, 1944, if he sells exclusively on small orders.

(h) *Allocated inventory.* Vitamin A allocated for inventory shall not be used or disposed of for any purpose, except as specifically directed by the War Production Board. Material which has not been used for the purpose for which it was allocated shall revert to inventory as if originally allocated to it. Applications for authorization to use Vitamin A allocated for inventory shall be filed pursuant to Appendix B. Pending receipt of Vitamin A allocated for a particular purpose stocks on hand may be used for that purpose, provided that the quantity withdrawn is replaced upon receipt of the allocated Vitamin A.

(i) *Toll arrangements.* In the case of any toll arrangement where vitamin A is produced, concentrated, blended or otherwise processed or used by another person for the owner of the vitamin A, the owner shall apply for any necessary authorizations and shall be subject to the limitations of this order as if he were performing the operation himself, but deliveries between the owner and the processor under the toll arrangement may be made without restriction.

(j) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the month for which authorized, he may complete them as early as practicable in the next month, but the authorization shall terminate if the purchaser fails to place his order before the end of the authorized delivery month or if the purchaser requires postponement of delivery beyond ten days after the authorized month.

(k) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery after the authorized month, but shall notify the War Production Board and hold the vitamin A intact subject to direction from the War Production Board, if he knows or has reason to believe that the shipment was made after the authorization for delivery had expired.

(l) *Duration of authorization for use.* Authorization for use shall be valid during the authorized month and the following month. Any unused portion at the end of the period shall not be used for any purpose until further authorized or directed by the War Production Board, upon application for use from inventory pursuant to Appendix B.

(m) *Special directions.* The War Production Board at any time may at its

discretion, issue special directions to any person with respect to:

(1) Delivery or acceptance of delivery of vitamin A;

(2) Preparation of applications and reports under Appendices A, B or C, subject to approval of the Bureau of the Budget when required by Federal Reports Act of 1942.

(n) *Notification of customers.* Each supplier is requested to notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(o) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Limitation Order L-40.* In addition to the restrictions of this order, the use of vitamin A is subject to the provisions of Limitation Order L-40 (§ 3293.6) as amended.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-373.

Issued this 28th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—INSTRUCTIONS FOR FILING USERS' ONE-TIME BASE PERIOD AND INVENTORY REPORT

Each person (including a supplier) seeking authorization to use or accept delivery of vitamin A shall file a one-time report on his stocks and past use of vitamin A on Form WPB-3442 in accordance with the following instructions:

Form WPB-3442. Copies may be obtained at local field offices of the War Production Board.

Time of filing. The report should be filed when application is first made on Form WPB-2945 (formerly PD-600) in accordance with Appendix B for authorization to use or accept delivery of Vitamin A.

Number of copies. Two copies should be prepared, of which one shall be retained by the person reporting and one certified copy shall be filed with the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-373.

Heading. 1—Specify Vitamin A.

2—Specify Million USP-XII Units.

3—Specify M373.

Fill in other spaces as indicated.

Section I. In column (a) specify primary products as pharmaceuticals, foods, feeds, etc. In column (b) specify grades in terms of potency ranges in accordance with the instructions in Appendix B for column 1. Fill in

the headings of columns (c) (d) (e) and (f) as follows:

Column (c)—1942—excluding Gov. orders.

Column (d)—1943—excluding Gov. orders.

Column (e)—1942—Gov. orders only.

Column (f)—1943—Gov. orders only.

Fill in these columns as indicated and leave column (g) blank.

Section II. Specify potency ranges in column (a) as in Section I, Column (b), above. Fill in the headings of columns (b) (c) and (d) as follows, and fill in the columns accordingly:

Column (b)—January 1, 1944.

Column (c)—March 1, 1944.

Column (d)—January 1, 1944.

APPENDIX B—INSTRUCTIONS FOR FILING APPLICATION FOR SPECIFIC INSTRUCTION TO ACCEPT DELIVERY OF AND USE VITAMIN A

Each person seeking authorization to use or accept delivery of vitamin A (more than 500,000,000 USP-XII units per month) shall file application on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following instructions:

Form WPB-2945 (formerly PD-600). Copies may be obtained at local field offices of the War Production Board.

Time of filing. Application shall be made in time to insure that copies will reach the supplier and the War Production Board on or before the 15th day of the month preceding the month for which authorization to use or accept delivery is sought.

Number of copies. Prepare five copies, retain one, send one to the supplier and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. M-373. Omit supplier's copy if applying only for use from inventory.

Number of sets. Applications for acceptance of delivery shall be made on separate forms for each supplier. A single set of forms may be used for application to accept delivery and use a quantity from a supplier, and to use an additional quantity from inventory.

Exports. Exporters applying simultaneously for an export license and a WPB allocation for export shall send both sets of applications to the Foreign Economic Administration, which will transmit the WPB-2945 forms to the WPB with its recommendation.

Heading. Under the name of chemical, specify vitamin A; under WPB order number, specify M-373; under unit of measure specify "Million USP-XII units." If the application is exclusively for use from inventory specify "From Inventory" in space for supplier's name. Otherwise fill in as indicated.

Table I. Specify in the heading, the month and year for which authorization to use or accept delivery is sought.

Column 1. Specify "grade" in terms of potency range, in accordance with the following symbols:

20	1- 20	Thousand USP-XII Units per Gram
40	20- 40	Thousand USP-XII Units per Gram
60	40- 60	Thousand USP-XII Units per Gram
100	60-100	Thousand USP-XII Units per Gram
150	100-150	Thousand USP-XII Units per Gram
200	150-200	Thousand USP-XII Units per Gram
over 200	over 200	Thousand USP-XII Units per Gram

Column 2. Specify separately the quantity in millions USP-XII units sought for each different requirement indicated in columns 3 and 4.

Column 3. Fill in as follows:

¹If filing after March, 1944, specify in Column (c) the first day of the next month.

Multivitamin tablets, capsules or liquids (specify separately)

Vitamin A and D tablets, capsules or liquids (specify separately)

Vitamin A tablets, capsules or liquids (specify separately)

Ampuls

Margarine

Feed

Feed Concentrates

Other—(specify)

For blending

For concentrating

For inventory (in original form)

For export (in original form)

For resale (in original form)

Column 4. Opposite any product in Column 3 (other than "for blending" or "for concentrating") specify in Column 4 whether the product is for Army, Navy, Lend-Lease, other specified Government agency, or commercial customer, and where practicable specify contract or specification numbers. Opposite "for blending", "for concentrating", "for inventory" or "for resale" in Column 3, write in Column 4, "subject to further authorization", except in the case of suppliers who resell exclusively on small orders, in which case "for small orders of 500,000,000 USP-XII Units or less per person per month" may be specified in Column 4.

Opposite "for export" in Column 3, specify in Column 4, the name of the individual, company, or Governmental agency to whom or for whose account the vitamin A will be exported, the country of destination and governing export license or contract numbers, unless Lend-Lease, in which case merely specify the Lend-Lease contract and requisition number.

Column 10. If the application is partly to accept delivery and use Vitamin A from a supplier and partly to use Vitamin A in inventory, specify in Column 10, "From Inventory" opposite quantities in Column 2, which relate to use from inventory.

Table II. Fill in as indicated. In Column II, specify "grade" in terms of potency range symbols as described in the Column 1 instructions above. In Columns 15 and 16 exclude from stocks, quantities authorized for use on the dates specified.

Table III. Fill in as indicated.

Table IV. Leave blank.

Table V. In Column 23, specify potency ranges in accordance with Column 1 instructions above; in Column 24, specify in the heading "Balance authorized for use _____" (specify first day of current month) and fill in the column accordingly; and in Column 25 specify in the heading "Estimated balance authorized for use _____" (specify first day of requested allocation month) and fill in the column accordingly.

APPENDIX C—INSTRUCTIONS FOR FILING APPLICATION FOR SPECIFIC AUTHORIZATION TO MAKE DELIVERIES OF VITAMIN A

Each producer or distributor seeking authorization to make delivery of Vitamin A during any month shall file application on Form WPB-2946 (formerly PD-601) in the manner prescribed therein and subject to the following instructions.

WPB-2946 (formerly PD-601). Copies may be obtained at the local field offices of the War Production Board.

Time of filing. Applications shall be filed in time to insure that copies will reach the War Production Board on or before the 20th day of the month preceding the month for which authorizations to make delivery are requested.

Number of copies. Prepare four copies, retain one and send three (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C. Ref. M-373.

Heading. Under name of chemical, specify vitamin A; leave grade space blank; under WPB Order No., specify M-373; under unit of

measure, specify Million USP-XII Units; and otherwise fill in as indicated.

Table I. Fill in as indicated, listing customers alphabetically and including all who have sent in copies of Form WPB-2945 listing the applicant as supplier. In Column 3, specify "grade" in terms of potency range symbols specified below for Table II, Column 8.

Each producer seeking authorization to use his own production of vitamin A shall list his own name as a customer in his supplier's Form WPB-2946 application, and shall file a separate application for use on consumer's Form WPB-2945 in accordance with Appendix C above.

An aggregate amount may be requested for "orders for less than 500,000,000 USP-XII Units per month" without specifying individual customers' names.

Table II. Fill in as indicated. In columns 10 and 13 exclude quantities authorized for use or delivery on the dates specified. Specify "grade" in Column 8 in terms of potency range, using the following symbols.

20	1- 20 Thousand USP-XII Units per Gram
40	20- 40 Thousand USP-XII Units per Gram
60	40- 60 Thousand USP-XII Units per Gram
100	60-100 Thousand USP-XII Units per Gram
150	100-150 Thousand USP-XII Units per Gram
200	150-200 Thousand USP-XII Units per Gram
over 200	over 200 Thousand USP-XII Units per Gram

NOTE: Forms WPB-2945, 2946 and 3442, and the instructions in Appendices A, B, and C, have been approved by the Bureau of the Budget in accordance with Federal Report Act of 1942.

[F. R. Doc. 44-2856; Filed, February 28, 1944; 11:35 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5,¹ Amdt. 48]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 17.1 (d) is amended by substituting the words "ten (10) points" in place of the words "eleven (11) points (as nearly as possible)", by substituting the words "ten (10) points" in place of the words "sixteen (16) points (as nearly as possible)" and by inserting after the second sentence the following:

However, for each two weeks during which that person lives in his establishment, the institutional user must remove thirty (30) points of stamps currently valid for foods covered by Ration Order 16. He may not accept any ration tokens.

This amendment shall become effective February 27, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 17486; 9 F.R. 401, 455, 492.

No. 42—5

spectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2779; Filed, February 26, 1944; 12:01 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,¹ Amdt. 5 to Supp. 1²]

FOOD RATIONING FOR INSTITUTIONAL USERS

Supplement No. 1 to General Ration Order 5 is amended in the following respects:

1. Section 1305.203 (b) is amended to read as follows:

(b) Allowance per person for Group II users.

RATIONED FOOD	
	Allowance per person
Processed foods.....	0.7 points
Sugar.....	.03 pounds

2. Section 1305.203 (c) is revoked. This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2780; Filed, February 26, 1944; 12:03 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,¹ Amdt. 1 to Supp. 2²]

FOOD RATIONING FOR INSTITUTIONAL USERS

Supplement No. 2 to General Ration Order No. 5 is amended in the following respect:

1. Section 1305.205 (c) is amended to read as follows:

(c) The allowance per person for Group II users for foods covered by Ration Order 16 shall be 1.0.

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2794; Filed, February 26, 1944; 11:58 a. m.]

² 8 F.R. 2597, 4840, 5529, 7601, 14154.
³ 8 F.R. 3851.

PART 1305—ADMINISTRATION

[Gen. RO 7,¹ Amdt. 7]

METHOD OF SURRENDER AND DEPOSIT OF RATION STAMPS AND COUPONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order 7 is amended in the following respects:

1. Section 1.2 (a) (2) is redesignated subparagraph (3).

2. Section 1.2 (a) (2) is added to read as follows:

(2) He may enclose no more than 1,000 "aeroplane" stamps from War Ration Book No. 3 or 1,000 stamps from War Ration Book Four in OPA Form R-132 (the official envelope), or, if that form is unavailable, in any substantially similar sealed envelope; or

3. Section 1.2 (a) (3) is redesignated subparagraph (4).

4. Section 1.2 (a) (4) is redesignated subparagraph (5).

5. Section 1.2 (a) (5) is redesignated subparagraph (6).

6. Section 1.2 (a) (6) is redesignated subparagraph (8).

7. Section 1.2 (a) (7) is added to read as follows:

(7) He may enclose exactly 10,000 red or exactly 10,000 blue stamps from War Ration Book Four in any sealed envelope he supplies, if it is approximately nine (9) inches by twelve (12) inches in size.

This amendment shall become effective March 1, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2793; Filed, February 26, 1944; 12:03 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300,² Amdt. 15]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.1772 is amended by changing the body of Table I to read as follows:

⁴ 8 F.R. 2353, 2337, 4240, 6365, 11733.
⁵ 8 F.R. 9293, 11251, 13173, 14924.

TABLE I—MAXIMUM MANUFACTURERS' PRICES FOR VICTORY LINE RUBBER DRUG SUNDRIES¹

Item	Maximum prices for sales by manufacturers		
	To whole-salers ²	To mass retail distributors ³	To other retailers ⁴ and ultimate consumers
Hot water bottles:			
Hospital Grade (cloth inserted 2 quart).....	\$1.13		\$1.51
Hospital Grade (molded).....	.55	\$0.61	.74
Consumer Grade I ⁵ (colored-molded).....	.45	.50	.60
Consumer Grade II ⁶ (colored & black-molded).....	.35	.39	.46
Fountain syringes (civilian-molded) equipped with 4' 8" regular flow tubing, stopper, shut-off, and screw socket:			
Consumer Grade I ⁷ (colored):			
Group I-2 slip pipes, adult rectal and vaginal.....	.47	.52	.62
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.52	.58	.63
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.71	.79	.94
Consumer Grade II ⁷ (colored and black):			
Group I-2 slip pipes, adult rectal and vaginal.....	.37	.41	.43
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.42	.46	.55
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.61	.68	.80
Combination syringes (molded) equipped with 4' 8" regular flow tubing, stopper, shut-off, and screw socket:			
Consumer Grade I ⁸ (colored):			
Group I-2 slip pipes, adult rectal and vaginal.....	.59	.66	.73
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.64	.72	.85
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections, and rapid flow accessories.....	.83	.93	1.10
Consumer Grade II ⁸ (colored & black):			
Group I-2 slip pipes, adult rectal and vaginal.....	.49	.54	.65
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.54	.59	.71
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.73	.80	.97
Combination syringe attachment sets—to include 4' 8" regular flow tubing, stopper, shut-off, and screw sockets:			
Group I-2 slip pipes, adult rectal and vaginal.....	.15	.17	.20
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.20	.22	.27
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.40	.44	.54
Ice caps (molded).....	.48	.63	.63
Invalid rings and cushions (molded—all rubber):			
Size 12 inches.....	1.08	1.20	1.44
Size 14 inches.....	1.17	1.30	1.56
Size 16 inches.....	1.30	1.44	1.74
Size 18 inches.....	1.55	1.72	2.07
Invalid rings and cushions (cloth inserted):			
Size 12 inches.....	1.26	1.40	1.63
Size 14 inches.....	1.32	1.47	1.76
Size 16 inches.....	1.45	1.61	1.94
Size 18 inches.....	1.71	1.90	2.23

¹ 8 F.R. 9203, 11251, 13173, 14934.

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2781; Filed, February 26, 1944; 12:02 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 301,² Amdt. 10]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.1796 is amended by changing the body of Table I to read as follows:

*Copies may be obtained from the Office of Price Administration.

² 8 F.R. 9212, 11219, 13175.

TABLE I—MAXIMUM WHOLESALERS' AND RETAILERS' PRICES FOR VICTORY LINE RUBBER DRUG SUNDRIES—Continued

Items	Maximum price for sales at whole-sale	Maximum price for sales at retail
Combination syringes (molded) equipped with 4' 8" regular flow tubing, stopper, shut-off, and screw socket:		
Group I-2 slip pipes, adult rectal and vaginal.....	\$.03	\$1.03
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	1.00	1.75
Group III-3 screw pipes, infant rectal, adult rectal and balloon vaginal plus screw pipe connection and rapid flow accessories.....	1.25	2.20
Consumer Grade I (colored):		
Group I-2 slip pipes, adult rectal and vaginal.....	.78	1.39
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.85	1.43
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections and rapid flow accessories.....	1.10	1.63
Consumer Grade II (colored & black):		
Group I-2 slip pipes, adult rectal and vaginal.....	.05	1.13
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.71	1.23
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections and rapid flow accessories.....	.97	1.63
Combination syringe attachment sets—to include 4' 8" regular flow tubing, stopper, shut-off, and screw sockets:		
Group I-2 slip pipes, adult rectal and vaginal.....	.20	.35
Group II-2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.27	.50
Group III-3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections and rapid flow accessories.....	.54	.65
Ice caps (molded).....	.63	1.03
Invalid rings and cushions (molded—all rubber):		
Size 12 inches.....	1.44	2.50
Size 14 inches.....	1.50	2.76
Size 16 inches.....	1.74	3.03
Size 18 inches.....	2.07	3.60
Invalid rings and cushions (cloth inserted):		
Size 12 inches.....	1.63	2.93
Size 14 inches.....	1.70	3.10
Size 16 inches.....	1.94	3.40
Size 18 inches.....	2.23	4.00

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2791; Filed, February 26, 1944; 11:59 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 493,² Amdt. 5]

DRIED AND PROCESSED APPLES AND APPLE PRODUCTS, 1943, AND OTHER SPECIFIED CROPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

The effective date provision of Maximum Price Regulation 493 is amended to read as follows:

² 8 F.R. 15697, 16664; 9 F.R. 90, 1121.

Effective date. This regulation shall become effective November 16, 1943, except that with respect to sales and deliveries of dried apples to government procurement agencies it shall become effective as of September 15, 1943.

This amendment shall become effective as of November 16, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2790; Filed, February 26, 1944;
11:59 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 400,¹ Amdt. 2]

MERCHANTS' PRICES FOR FINE PAPERS AND CERTAIN PAPERBOARDS

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 400 is amended in the following respects:

1. Section 1 (b) (3) and (b) (4) are added to read as follows:

(3) The provisions of this section shall not be applicable to sales or deliveries at the retail level, including sales to ultimate consumers, such as artists, illustrators, photographers and the like. Such sales are subject to the General Maximum Price Regulation.

(4) The provisions of this section shall not be applicable to sales or deliveries in cases where the total sales price computed under this regulation is less than \$1.00. Such sales are subject to the General Maximum Price Regulation.

2. Section 2 is amended by adding at the end thereof the following paragraph:

The provisions of this section are not applicable to sales or deliveries of "specialty papers" as defined in section 18. Such sales are subject to the General Maximum Price Regulation.

3. Section 18 is amended by adding at the end thereof a new paragraph to read as follows:

A paper shall be considered a "specialty paper" when it fulfills all three of the following qualifications:

(a) When it is made by the manufacturer expressly and solely to fulfill an unusual requirement of a particular user or class of users.

(b) When it is neither comparable with, nor a variation of, a standard mill

grade or a grade which is regularly offered for sale by the manufacturer.

(c) When it possesses one or more physical or chemical qualities not attainable in the manufacturer's standard grades.

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2782; Filed, February 26, 1944;
12:02 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 289,¹ Amdt. 27]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amend-

For deliveries in—	Spray process (cents per lb.)				Roller process (cents per lb.)			
	Carload	Less carload			Carload	Less carload		
		25 bbls. or more	5 to 24 bbls. incl.	1 to 4 bbls. incl.		25 bbls. or more	5 to 24 bbls. incl.	1 to 4 bbls. incl.
Zone A.....	12 ¹ / ₂	16	16 ¹ / ₂	16 ¹ / ₂	15	12 ¹ / ₂	15 ¹ / ₂	15
Zone B.....	12 ¹ / ₂	16 ¹ / ₂	16 ¹ / ₂	16 ¹ / ₂	12 ¹ / ₂	15 ¹ / ₂	16	16 ¹ / ₂
Zone C.....	16	16 ¹ / ₂	16 ¹ / ₂	17	17 ¹ / ₂	16	16 ¹ / ₂	16 ¹ / ₂
Zone D.....	16 ¹ / ₂	16 ¹ / ₂	16 ¹ / ₂	17	17 ¹ / ₂	16 ¹ / ₂	16 ¹ / ₂	16 ¹ / ₂

This amendment shall become effective February 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2783; Filed, February 26, 1944;
12:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 289,¹ Amdt. 28]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 289 is amended in the following respects:

Section 1351.1519 (d) (1) (iii) is added to read as follows:

(iii) *Special provisions for sales to certain U. S. Government purchasers.* In addition to the maximum prices established in subdivisions (i) and (ii) of this subparagraph (1) a manufacturer

¹ 7 F.R. 10996; 8 F.R. 490, 1459, 1885, 1972, 3252, 3253, 3327, 4335, 4513, 4337, 4338, 4918, 6440, 7566, 14312, 7593, 8276, 8751, 9360, 9223, 10667, 11245, 15428, 15327, 15155.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 289 is amended in the following respects:

1. Section 1351.1522 (a) (1) is amended to read as follows:

(1) By manufacturers and wholesalers to United States Government or any agency thereof, f. o. b. manufacturer's plant, located:

	Spray process	Roller process
	Cents per pound	Cents per pound
In zone A.....	14 ¹ / ₂	14
In zone B.....	14 ¹ / ₂	14 ¹ / ₂
In zone C.....	15	14 ¹ / ₂
In zone D.....	15 ¹ / ₂	14 ¹ / ₂

2. Section 1351.1522 (a) (3) is amended to read as follows:

(3) By wholesalers and by manufacturers for deliveries to any consumer other than the United States Government or any agency thereof:

or "authorized assembler" of Cheddar cheese, or a manufacturer of processed Cheddar cheese may charge 3.8 cents per pound on sales to the following agencies of the U. S. Government: War Food Administration and any agency thereof (including Dairy Products Marketing Association, Inc., acting for the War Food Administration); U. S. Army Quartermaster Market Centers (including Field Headquarters), and U. S. Army Quartermaster Depots; U. S. Navy Market Offices.

This amendment shall become effective March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2783; Filed, February 26, 1944;
11:53 a. m.]

PART 1368—DEFENSE-RENTAL AREAS
[Rent Reg. for Housing,¹ Amdt. 18]

LUBBOCK, TEXAS

Item 322a is added to Schedule A of the Rent Regulation for Housing to read as follows:

¹ 8 F.R. 14663, 14815, 15585, 16032, 16203, 16427, 17297; 9 F.R. 206, 972.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 7556, 11563.

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(322a) Lubbock.....	Texas.....	Lubbock.....	Mar. 1, 1942...	Mar. 1, 1944...	Apr. 15, 1944.

This amendment shall become effective March 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2792; Filed, February 26, 1944; 11:59 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent. Reg. for Hotels and Rooming Houses,¹ Amdt. 15]

LUBBOCK, TEXAS

Item 322a is added to Schedule A of the Rent Regulation for Hotels and Rooming Houses to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(322a) Lubbock.....	Texas.....	Lubbock.....	Mar. 1, 1942...	Mar. 1, 1944...	Apr. 15, 1944.

This amendment shall become effective March 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2784; Filed, February 26, 1944; 12 m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,² Amdt. 4 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) is amended in the following respects:

1. Subparagraph (4) is added to read as follows:

(4) For the reporting period beginning March 5, 1944 and ending April 1, 1944—4

2. Subparagraph (5) is added to read as follows:

(5) For the reporting period beginning April 1, 1944 and ending April 29, 1944—4

This amendment shall become effective March 2, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 582; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2785; Filed, February 26, 1944; 12:02 p. m.]

¹ 8 F.R. 14876, 14814, 15581, 16032, 16207, 16427, 16893, 17297; 9 F.R. 206, 847.

² 9 F.R. 173, 908, 1181.

Sec.

- 1421.152 Applicability of the General Maximum Price Regulation.
- 1421.153 Less than maximum prices.
- 1421.154 Export sales.
- 1421.155 Federal and state taxes.
- 1421.156 Adjustable pricing and pricing during the pendency of an application for adjustment or petition for amendment.
- 1421.157 Petitions and applications for amendment, adjustment or exception.
- 1421.158 Evasion.
- 1421.159 Enforcement.
- 1421.159a Licensing.
- 1421.160 Records and reports.
- 1421.161 Filing of prices and pricing methods.
- 1421.162 Transfers of business or stock in trade.
- 1421.163 Maximum prices for new sellers other than transferees.
- 1421.164 Definitions.
- 1421.165 Effective date.
- 1421.165a Effective dates of amendments.
- 1421.166 Appendix A: Maximum prices for gray iron castings.
- 1421.167 [Revoked]
- 1421.168 [Revoked]
- 1421.169 Appendix D: Regional Offices and States and Territories covered.

AUTHORITY: §§ 1421.151 to 1421.169, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1421.151 *Maximum prices for gray iron castings.* (a) On and after October 26, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver gray iron castings, and no person shall buy or receive gray iron castings in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1421.166; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That (1) if the purchaser shall receive from the seller a written affirmation that to the best of his knowledge, information and belief the price charged does not exceed the maximum price established by this Maximum Price Regulation No. 244 and that the seller has complied with all other provisions (including the filing requirements of § 1421.161) of this regulation, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall have complied with this section; and (2) where the contract of sale has been entered into on or before October 25, 1942, the parties thereto may make and accept deliveries of the castings required or specified in such contract and the seller may render bills or invoices for such castings to the purchaser at the contract price, subject to adjustment of said price in accordance with the maximum prices established by this Maximum Price Regulation No. 244 within a period not to exceed 30 days after the billing or invoicing.

(b) The provisions of paragraph (a) of this section prohibiting purchasers from paying in excess of the maximum prices shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any or every liability, civil or criminal, imposed by this Maximum

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 244,¹ Incl. Amdt. 7]

GRAY IRON CASTINGS

Sections 1421.164 (a) (2), (10), 1421.166 (a), (b), (c) (1), (e), (f) are amended, §§ 1421.164 (a) (16), 1421.166 (g) are added, § 1421.157 (f) is revoked by Amendment 7, effective March 1, 1944, so that Maximum Price Regulation 244 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of gray iron castings by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.² In the judgment of the Price Administrator the maximum prices established by this Maximum Price Regulation No. 244 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this Regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Procedural Regulation, No. 1,³ issued by the Office of Price Administration, Maximum Price Regulation No. 244 is hereby issued.

Sec.

- 1421.151 Maximum prices for gray iron castings.

¹ 7 F.R. 8558.

² Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

³ Revised: 7 F.R. 8961; 8 F.R. 3313, 3538, 6173, 11806.

Price Regulation No. 244 or by the Emergency Price Control Act of 1942, as amended.

(c) The provisions of this section shall not be applicable to sales or deliveries of gray iron castings to a purchaser if prior to October 26, 1942, such castings have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

(d) Nothing in this Maximum Price Regulation 244 or in the General Maximum Price Regulation¹ shall be applicable to any seller of gray iron castings, in his capacity as such seller, whose net sales of such castings totalled the sum of \$40,000 or less for the calendar year of 1942: *Provided*, That each such seller (1) shall comply with the provisions of § 1421.160 (a) of this Maximum Price Regulation 244, (2) shall file with the appropriate regional office of the Office of Price Administration on or before January 15, 1943, a signed statement in duplicate of his total net sales of gray iron castings for the calendar year of 1942, and (3) shall file with such regional office on or before the 15th day of the month following each quarter-year beginning with the first calendar quarter of 1943, a signed statement in duplicate of his total net sales of gray iron castings for the previous quarter, and if such sales in any quarter exceed the sum of \$12,500, such seller shall be subject to all the provisions of Maximum Price Regulation 244 from the 15th day of the month following such quarter until so long a time as Maximum Price Regulation 244 remains in effect, except as provided in the following paragraph (e). The term "net sales" as used in this paragraph (d) and the following paragraph (e) means total sales of gray iron castings, less returns and allowances, billed or invoiced to purchasers.

[Paragraph (d) added by Am. 2, 7 F.R. 10781, effective 12-26-42, and amended by Am. 5, 8 F.R. 4721, effective 4-14-43]

(e) Any seller of gray iron castings whose net sales thereof totalled the sum of \$40,000 or less in any calendar year subsequent to the calendar year of 1942, may petition within 30 days following the close of such calendar year to the Regional Administrator of the appropriate Regional Office of the Office of Price Administration for, and the Regional Administrator may grant, an order excluding such seller, in his capacity as such seller, from the provisions of Maximum Price Regulation 244 and the General Maximum Price Regulation. Until such petition is granted, the seller shall be subject to all the provisions of Maximum Price Regulation 244. Such petition shall state the seller's total net sales of gray iron castings for the preceding calendar year and an estimate of his total net sales of such castings for the year in which an order of exclusion is sought. If an order of exclusion is granted to the seller, he shall be required to submit on or before the 15th day of the month following each quarter-year beginning with the quarter in which the order of exclusion falls, a signed statement in duplicate of his net

sales of gray iron castings for the previous quarter, and if such sales in any quarter exceed the sum of \$12,500, such seller shall be subject to all the provisions of Maximum Price Regulation 244 from the 15th day of the month following such quarter until so long a time as Maximum Price Regulation 244 remains in effect, except that he may again petition for an order of exclusion as provided in this paragraph (e) if his total net sales of gray iron castings do not exceed the sum of \$40,000 in a calendar year.

[Paragraph (e) added by Am. 2, 7 F.R. 10781, effective 12-26-42]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3703) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 629 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

§ 1421.152 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 244 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1421.153 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 244 may be charged, demanded, paid or offered.

§ 1421.154 *Export sales.* The maximum price at which a person may export any gray iron castings shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation² issued by the Office of Price Administration.

§ 1421.155 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a gray iron casting, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such casting:

(a) *As to a tax in effect between August 1, 1941 and February 1, 1942, inclusive.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the period from August 1, 1941 to February 1, 1942, inclusive, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in

addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 244.

(2) In all other cases if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 244.

(b) *As to a tax or increase in a tax which becomes effective after February 1, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1421.156 *Adjustable pricing and pricing during the pendency of an application for adjustment or petition for amendment.* (a) It is permitted under this maximum price regulation to provide in a contract that the price shall be adjustable to a price not higher than the maximum price in effect at the time of delivery.

(b) Where an application for adjustment has been filed pursuant to § 1421.157 (a) of this regulation and the applicant claims to meet the requirements of subparagraph (3) under paragraph (a) of said section, he may, pending the issuance of an order granting or denying the application and without securing the express permission of the Office of Price Administration, enter into or offer to enter into contracts and may make deliveries at the price requested in the application. In an appropriate situation, where a petition for amendment or application for adjustment requires extended consideration and the applicant or petitioner does not claim to meet the requirements of subparagraph (3) under § 1421.157 (a), the Administrator or, in a case properly before him, the regional administrator for the appropriate regional office of the Office of Price Administration may, upon application, grant permission to the applicant or petitioner to enter into or offer to enter into contracts and to make deliveries at the price requested in the application or petition. Whether or not the applicant or petitioner claims to meet the requirements of subparagraph (3) under § 1421.157 (a), if the order issued denies the application or petition in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the

¹ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

² Second Revision: 8 F.R. 4132, 5937, 7663, 9998, 15193.

requested price, the applicant or petitioner shall be required to refund the excess. If a request for review is filed by the applicant seeking an adjustment in accordance with § 1300.17 of Revised Procedural Regulation No. 1, the applicant, pending action by the Administrator, may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued by the Administrator denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant shall be required to refund the excess.

[§ 1421.156 as amended by Am. 4, 8 F.R. 3629, effective 3-27-43]

§ 1421.157 *Petitions and applications for amendment, adjustment or exception.*

(a) Any seller of gray iron castings may file an application for adjustment of his maximum prices for any or all such castings: *Provided*, That he is prepared to show:

(1) That his maximum prices for such castings are below his costs of producing them, or are inadequate to maintain continued production of such castings, and

(2) That such castings are necessary to the war effort, and either

(3) That he has entered into or proposes to enter into Government contracts or subcontracts under such contracts for the sale of such castings, or

(4) That unless adjustment is granted applicant will cease or will not undertake production of such castings, and as a result the purchaser will be materially handicapped in its operations for one or more of the following reasons:

(i) Applicant possesses special knowledge and experience in the production of such castings,

(ii) No other foundry properly equipped to produce such castings is located within a convenient distance of purchaser,

(iii) There is a general shortage in the type of facility possessed by applicant for the production of such castings,

(iv) The purchaser will be unable to procure such castings from another satisfactory source except at prices higher than those requested by applicant.

Such adjustments may be granted by the Administrator or by the Regional Administrator for the appropriate regional office of the Office of Price Administration, and shall be based upon a consideration of changes in applicant's costs of production, his over-all returns and such other circumstances as may be pertinent to the maintenance of an adequate supply of gray iron castings needed for the war effort.

Applications for adjustment under this paragraph (a) shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration, except that they shall be filed with the appropriate regional office of the Office of Price Administration. Such applications shall be submitted on Form 344:3-A or on Forms 344:3-A and 344:3-B, whichever is applicable, in accordance with the instructions accompanying said forms.

Copies of these forms may be obtained from the Office of Price Administration, Washington, D. C., or from any of its field offices.

[Paragraph (a) amended by Am. 1, 7 F.R. 8942, effective 11-4-42 and Am. 3, 8 F.R. 3002, effective 3-13-43]

(b) [Revoked]

[Paragraph (b) amended by Am. 1 and revoked by Am. 3]

(c) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 244 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Paragraph (c) as amended by Am. 1, 7 F.R. 8942, effective 11-4-42]

(d) [Revoked]

[Paragraph (d) revoked by Am. 1]

(e) *Supplementary Order No. 9^a and Procedural Regulation No. 6^b not to apply.* Supplementary Order No. 9 issued by the Office of Price Administration dealing with applications for adjustment under Procedural Regulation No. 6 of maximum prices of sales pursuant to Government contracts or subcontracts shall not apply to applications for the adjustment of the maximum price of a gray iron casting.

[Paragraph (e) added by Am. 3, 8 F.R. 3002, effective 3-13-43]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

(f) [Revoked.]

[Paragraph (f) added by Am. 6, 8 F.R. 13722, effective 10-11-43; revoked by Am. 7, effective 3-1-44]

§ 1421.158 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 244 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to gray iron castings, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement, or other trade understanding or otherwise: without limiting the generality of the foregoing, the price limitations set forth in Maximum Price Regulation No. 244 shall not be evaded by improper classification of any gray iron casting, improper application of extras, splitting of orders into small quantities or exchange of patterns in order to increase prices, or by decreasing or discontinuance of cash discounts.

§ 1421.159 *Enforcement* (a) Persons violating any provisions of this Maximum Price Regulation No. 244 are subject to the criminal penalties, civil enforcement actions, and suits for treble

^a Revised: 8 F.R. 6175.

^b 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 244 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, field, or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1421.159a *Licensing.* The provisions of Licensing Order No. 1,¹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1421.159a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1421.160 *Records and reports.* (a) Each person selling gray iron castings shall preserve and keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942 as amended remains in effect, all available records of prices, costs, pricing methods, delivery charges, allowances and discounts, on all sales of gray iron castings made by such seller during the period from August 1, 1941 to February 1, 1942, inclusive.

(b) Each person making a sale of gray iron castings on or after October 26, 1942, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer and seller, (3) the list price or prices, if any, on the date of sale, (4) net price or prices after adjustment for discounts or other allowances, and (5) where the sale is made pursuant to a contract or agreement entered into on or after October 26, 1942, and the total selling price exceeds fifty dollars, records substantiating the maximum prices if the castings are priced under paragraph (a) or (e) of Appendix A (§ 1421.166) or summary of the calculations made in computing the maximum prices if the castings are priced under paragraph (b) of Appendix A. The data specified in (1), (2), (3) and (4) of this paragraph (b) shall be kept for inspection by the Office of Price Administration for the same period by each person making a purchase of gray iron castings in the course of trade or business.

[Paragraph (b) as amended by Am. 2, 7 F.R. 10781, effective 12-26-42]

(c) Each person making a purchase or sale of gray iron castings in the course of trade or business shall submit such reports to the Office of Price Administration and keep such other records in

¹ 8 F.R. 13240.

addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1421.161 *Filing of prices and pricing methods.* (a) Each person selling gray iron castings shall file with the appropriate Regional Office of the Office of Price Administration within thirty days after the effective date of this Maximum Price Regulation No. 244, three copies, duly certified as being true and correct, of his published price lists in effect between August 1, 1941 and February 1, 1942, inclusive, and a statement, duly signed and sworn to, submitted in triplicate, of his customary extras, discounts and allowances in effect during such period; if such person had no such published price lists or no such customary extras, discounts and allowances, he shall file a sworn statement to that effect with the appropriate Regional Office. A list of the Regional Offices of the Office of Price Administration and the states and territories covered is set forth in Appendix D, incorporated herein as § 1421.169.

[NOTE: Revised Supplementary Order No. 23 (8 F.R. 6175) provides that no document filed pursuant to any price regulation or procedural regulation issued by the Office of Price Administration before May 17, 1943 need be sworn to or affirmed, except that protests and documents filed in support thereof shall continue to be sworn to or affirmed as provided in Revised Procedural Regulation No. 1.]

(b) Each person selling gray iron castings shall file with the appropriate Regional Office of the Office of Price Administration on or before January 15, 1943, three copies of Form 344:2 to be supplied by or obtained at any Regional Office of the Office of Price Administration, showing in the detail required by such form information as to wage rates, overhead rates, cost of materials, profit margins and pricing methods in effect for such seller at each of his foundries on February 1, 1942. If any seller who is excluded from the requirement of filing Form 344:2 by reason of the provisions of § 1421.151 (d) later is required to file said form, he shall file said form in accordance with this paragraph (b) within thirty days after he becomes subject to this Maximum Price Regulation as provided in § 1421.151 (d).

[Paragraph (b) as amended by Am. 2, 7 F.R. 10781, effective 12-26-42]

§ 1421.162 *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any person producing gray iron castings are or have been sold or otherwise transferred after February 1, 1942, and the transferee carries on the business or continues to produce the same type of gray iron castings in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee

all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record and filing of price provisions of this regulation.

§ 1421.163 *Maximum prices for new sellers other than transferees.* Each person engaged in, or who proposes to engage in, the business of selling gray iron castings who was not in such business at his present foundry on February 1, 1942, and who is not a transferee as described in § 1421.162, shall file a proposed pricing method for computing maximum prices with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., for approval. Such proposed pricing method shall be submitted on Form 344:2 issued by the Office of Price Administration. The various pricing factors included in such pricing method shall be computed as follows:

(a) Direct labor costs shall be based upon the labor rates which were actually in effect for such seller in his gray iron operations on February 1, 1942 for each classification of direct labor, or, if labor rates for any classification of direct labor were not in effect for such seller on February 1, 1942, on labor rates no higher than the rates for such classification of direct labor prevailing for such seller's competitors in the same area on February 1, 1942. Overtime labor may be included in cost in accordance with the provisions of § 1421.166 (f) of this regulation.

(b) Direct material costs shall be based upon the costs to such seller on February 1, 1942 for such materials, or, if the seller had no such costs at that time, on his present costs for such materials, but in any case such costs may not exceed the applicable maximum prices for such materials established by the Office of Price Administration.

(c) In determining whether items of labor or material costs are direct or indirect, the seller shall employ the same classifications and criteria which he used on February 1, 1942, or, if he was not engaged in the production of gray iron castings at that time, the classifications and criteria which he would have then used.

(d) Overhead rates shall be the overhead rates in effect for such seller for a similar class of work on February 1, 1942, or, if no overhead rates were in effect for such seller for a similar class of work on February 1, 1942, the overhead rates shall be the rates such seller would have used on February 1, 1942 for a similar class of work. [NOTE: Two classes of work shall be considered not similar if the overhead rates on such classes would be materially different.]

(e) Mark up, margin, or profit shall be the mark up, margin, or profit which such seller would have used on February 1, 1942 if he had been in the business of selling gray iron castings at that time.

(f) Subcontracted machinery service costs may be computed at current levels as provided in § 1421.166 (b) (5) of this regulation.

The proposed pricing method shall be approved as filed or approved subject to such adjustments, conditions and limitations as the Office of Price Administration may provide, or shall be disapproved within twenty days from the time it is received by said Iron and Steel Branch, and in the event the Office of Price Administration does not send out in writing its approval or disapproval within twenty days as provided herein, the proposed pricing method shall be deemed approved. Pending approval or disapproval by the Office of Price Administration, the seller may sell, offer to sell and deliver gray iron castings at prices determined in accordance with the requested pricing method, but such prices shall be subject to adjustment, and the seller shall state in his contracts, offers and invoices that such prices are subject to adjustment, in accordance with the maximum prices resulting from the pricing method which is approved by the Office of Price Administration, and refunds shall be given of any payments made which are in excess of such maximum prices.

[§ 1421.163 as amended by Am. 4, 8 F.R. 3629, effective 3-27-43]

§ 1421.164 *Definitions.* (a) When used in this Maximum Price Regulation No. 244 the term:

(1) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(2) "Appropriate Regional Office" means the Regional Office of the Office of Price Administration for the region in which the foundry of the seller is located: Provided, That if the seller owns and operates two or more gray iron foundries located in two or more Office of Price Administration regions, the term "appropriate regional office" shall mean the Regional Office of the Office of Price Administration for the region in which the central operating office of the seller is located.

[Subparagraph (2) as amended by Am. 7, effective 3-1-44]

(3) (i) "Gray iron castings" means all ferrous or ferrous base castings other than steel (including manganese steel), malleable or high alloy castings,⁹ sold either with or without subsequent processing thereon, such as (without limitation), machining, galvanizing, plating, japanning, and treating, but does not include: (a) gray iron castings sold in an assembly with other materials (except bolts, nuts, screws, rivets or other industrial fastenings), (b) gray iron castings purchased from the seller on which the purchaser has performed subsequent

⁹The terms "steel castings", "manganese steel castings", "malleable iron castings" and "high alloy castings" are defined in Revised Price Schedule No. 41 (8 F.R. 12332, 13246) and Maximum Price Regulations 235 (7 F.R. 8218, 8348), 241 (7 F.R. 8247, 8341, 8348; 8 F.R. 325, 4733, 12016, 13737) and 214 (7 F.R. 7001, 8348, 10302), respectively; reference should be made to these definitions.

processing, (c) gray iron castings sold as another commodity by a regular manufacturer of such other commodity or by a purchaser from such manufacturer, and (d) gray iron castings for which maximum prices are established by Revised Maximum Price Regulation No. 236¹⁰ issued by the Office of Price Administration.

(1) A seller of gray iron castings is considered a regular manufacturer of another commodity when (a) he represents himself in the trade as a manufacturer of such other commodity through the issuance of catalogues, price lists or other advertising matter, circulated generally to the trade, in which such commodity is designated by name, (b) he owns the patterns used for the production of such other commodity, and (c) he customarily produces such other commodity for, and sells such commodity from, stock. A seller of gray iron castings who believes that he is a regular manufacturer of another commodity, but who does not meet each of the requirements specified in the foregoing items (a), (b), and (c) may nevertheless be considered a regular manufacturer of another commodity if he is recognized in the trade as a source of supply of such other commodity and he applies to the Office of Price Administration for a determination, or the Office of Price Administration makes a determination without such application, that he is a regular manufacturer of such other commodity.

[Subparagraph (3) as amended by Am. 4, 8 F.R. 3629, effective 3-27-43]

(4) "Export" or "export sale" means any sale of a gray iron casting located within the Continental United States by a seller in the Continental United States to a purchaser outside thereof in which the casting sold is transported from the Continental United States to a point outside thereof and includes any sale of the exported casting by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the casting from the Continental United States: *Provided*, That it shall not include such a sale if the agent or subsidiary has processed, fabricated or otherwise substantially changed the form of the casting exported, or if the sale by the agent or subsidiary is through a regularly established retail outlet owned or operated by the agent or subsidiary.

(5) "Machinery service" means any operation in the processing, machining, welding, treating, finishing, testing, inspecting, adjusting, maintaining, repairing or rebuilding of a gray iron casting owned by another or of a product owned by another, which, as a result of such operation, becomes a gray iron casting.

(6) "Person" includes an individual, corporation, partnership, association, or

any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(7) "Pricing method" means the formula by which the seller computes a price for gray iron castings, whether such formula is described to the purchaser or is merely the seller's device for computing costs of labor and materials, other costs, and margin, mark-up or profit.

(8) "Published price list" means a list or schedule of prices for a number of gray iron castings, whether or not the prices contained therein are tentative or subject to change without notice, in which such castings are designated either by weight or quantity or both, or by name or pattern number, submitted by the seller to more than one purchaser or prospective purchaser of the types of castings represented in the schedule.

(9) [Revoked]

[Subparagraph (9) revoked by Am. 6, 8 F.R. 13722, effective 10-11-43]

(10) "Sold or offered for sale" means (i) sold or delivered, or (ii) if no sales or deliveries were made, contracted to be sold, or (iii) if no sales, deliveries or contracts to sell were made, included in a published price list.

[Subparagraph (10) as amended by Am. 7, effective 3-1-44]

(11) "Substantially the same" when used with reference to two or more gray iron castings, means that they are substantially the same in design, specifications and weight, and that they are produced by the same type of pattern equipment.

(12) "Government contract" means any contract with the United States or any agency thereof or with the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such government.

[Subparagraph (12) added by Am. 3, 8 F.R. 3002, effective 3-13-43]

(13) "Seller" shall include sellers of gray iron castings who are producers and those who are not producers. For the purpose of determining maximum prices under paragraph (b) of § 1421.166 of this regulation, but for no other purpose, if a seller owns and operates a number of different foundries each such foundry shall be considered a separate seller.

(14) "Producer of gray iron castings" and "producer" mean a person who is engaged in the business of casting the gray iron and shall include such person whether or not he performs subsequent processing on such castings or causes subsequent processing to be performed on such castings by another, the producer retaining title to the castings.

(15) "Foundry" includes, in the case of a seller of gray iron castings who is

not a producer, a plant, establishment or place of business.

[Subparagraphs (13), (14) and (15) added by Am. 4, 8 F.R. 3629, effective 3-27-43]

(16) "Subcontract" means any purchase order or agreement to perform all or any part of the work required under, or to make or furnish any commodity needed for the performance of, another Government contract or subcontract thereunder.

[Subparagraph (16) added by Am. 7, effective 3-1-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 as amended shall apply to other terms used herein.

§ 1421.165 *Effective date.* This Maximum Price Regulation No. 244 (§§ 1421.151 to 1421.169, inclusive) shall become effective October 26, 1942.

[Issued October 21, 1942]

§ 1421.165a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1421.166 *Appendix A: Maximum prices for gray iron castings—(a) Base period maximum prices.* (1) Where the casting to be priced is identical with a casting which the seller sold or offered for sale in the period between August 1, 1941 and February 1, 1942, the maximum price for such casting is the highest net price at which the casting was sold or offered for sale by the seller during such

¹⁰ Examples of the method of computing base-period maximum prices are as follows: Assume that the seller sold or offered for sale in the period between August 1, 1941 and February 1, 1942 (hereinafter referred to as the "base-period") to purchasers A and B, but not to purchaser C, a casting which is identical to the casting to be priced and that the highest net prices to purchasers A and B in the base-period were 7¢ and 8¢ per pound, respectively. If the seller proposes to sell the casting to C, his maximum price is 8¢ per pound (subject to the provisions of § 1421.166 (a) (3) on overtime). The seller's maximum price to purchaser A would be 7¢ per pound and to purchaser B would be 8¢ per pound (subject to the provisions of § 1421.166 (a) (3) on overtime).

Assume that no casting which is identical to the casting to be priced was sold or offered for sale by the seller in the base period to any of his purchasers but that he sold or offered for sale in the base period to purchasers Y and Z a casting which is substantially the same as the casting to be priced at net prices of 7¢ and 8¢ per pound, respectively. Then, to all purchasers except Y and Z the seller would have to price the casting in question under the pricing formula method set forth in § 1421.166 (b). To purchasers Y and Z the seller's maximum price would be 7¢ and 8¢ per pound, respectively (subject to the provisions of § 1421.166 (a) (3) on overtime).

¹⁰ Revised Maximum Price Regulation No. 236 (7 F.R. 985; 8 F.R. 1681, 5170) establishes maximum prices in the Eastern part of the United States for heating boiler conversion parts; reference should be made to the definitions set forth in this Regulation No. 236.

period: *Provided, That the maximum price for such casting to a purchaser to whom the casting was sold or offered for sale by the seller in the period between August 1, 1941 and February 1, 1942 shall be the highest net price at which the seller sold or offered for sale the casting to such purchaser during such period.* As used in this paragraph (a), the term "net price" means the price at which the casting was sold or offered for sale, adjusted for the seller's applicable customary charges, discounts, quantity differentials and allowances in effect between August 1, 1941 and February 1, 1942.

(2) Where the casting to be priced is not identical with a casting which the seller sold or offered for sale in the period between August 1, 1941 and February 1, 1942, but is substantially the same as a casting which the seller sold or offered for sale during such period to the purchaser to whom the casting is being priced, the maximum price for such casting to such purchaser shall be the highest net price at which the casting which is substantially the same was sold or offered for sale by the seller to such purchaser during such period.

(3) Notwithstanding any provision to the contrary contained in subparagraphs (1) and (2) of this paragraph, the seller may, in computing his maximum price of a gray iron casting under these subparagraphs (1) and (2), add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (f) of this section.

[Paragraph (a) amended by Am. 6, 8 F.R. 13722, effective 10-11-43, and Am. 7, effective 3-1-44. Heading of paragraph (b) as amended by Am. 7]

(b) *Formula maximum prices: castings which cannot be priced under paragraph (a) of this section because they do not fall within the classifications of paragraph (a).* The maximum price for each such casting shall be computed by the seller on the following basis:

(1) *Pricing method.* (i) The seller shall employ the applicable pricing method which was in use at the foundry on February 1, 1942, and which has been or will be filed with the Office of Price Administration in accordance with section 1421.161 herein, employing each of the pricing factors reflected in such method at the levels prevailing at such time, except as specified in subparagraph (5) hereinafter, including: direct labor rates (applied in accordance with subparagraph (2) below); direct material costs (applied in accordance with subparagraph (3) below); overhead (burden) rates (applied in accordance with subparagraph (4) below); subcontracted machinery service costs (applied in ac-

cordance with subparagraph (5) below); and mark-up, margin or profit (applied in accordance with subparagraph (6) below): *Provided however, That in the case of a seller of a gray iron casting who is not the producer thereof, such seller shall compute his maximum price, for such casting by adding to the price at which he purchased such casting, not to exceed the maximum price of the casting under this Regulation for the producer thereof, a mark-up, margin or profit determined in accordance with subparagraph (6) of this paragraph (b), and by adjusting this sum in accordance with the following subdivision (ii): And provided further, That the seller may, in computing his maximum price of a gray iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (f) of this section.*

[Subparagraph (1) amended by Am. 4, 8 F.R. 3629, effective 3-27-43 and Am. 6, 8 F.R. 13722, effective 10-11-43]

(ii) The price arrived at by use of the pricing method shall be adjusted for all applicable charges, discounts, quantity differentials or other allowances in use at the foundry on February 1, 1942.

[Subparagraph (ii) as amended by Am. 6]

(2) *Direct labor rates.* (i) Direct labor costs shall be based upon the labor rates prevailing in the foundry on February 1, 1942, for each classification of direct labor. If on February 1, 1942 average or piece rates were used, such average or piece rates must be applied, and, in computing such piece rates, the seller shall use the base hourly rates and method in effect for him on February 1, 1942. In determining whether items of labor cost are direct or indirect, the seller shall employ the same classifications and criteria which he used on February 1, 1942.

(ii) [Revoked]

[Subparagraph (ii) revoked by Am. 6]

(3) *Direct material costs.* The seller shall compute direct material costs on a basis no higher than the costs to him of such materials on February 1, 1942, not to exceed the applicable maximum prices thereof established by the Office of Price Administration and, in determining whether items of material costs are direct or indirect, the seller shall employ the same classifications and criteria which he used on February 1, 1942.

(4) *Overhead (burden) rates.* The seller shall employ overhead or burden rates not in excess of the overhead or burden rates used in his pricing method on February 1, 1942, and he shall compute and apply such rates by the identical method which he used on that date.

(5) *Subcontracted machinery service costs.* To the extent that the pricing method includes or is based on prices paid for subcontracted machinery services, the seller shall use the actual prices paid or to be paid for such services, not in excess of the maximum prices established for such services by the Office of Price Administration, together with such

additional charge, if any, as was in effect for such seller on February 1, 1942 for such subcontracted machinery services: *Provided, That no overhead, mark-up, margin or profit may be figured on such additional charge.*

(6) *Mark-up, margin or profit.* The seller shall use the mark-up, margin or profit which he used at the foundry on February 1, 1942, for the same type or classification of castings and customers, and which has been or will be filed with the Office of Price Administration in accordance with § 1421.161 herein.

(c) *Reports and recomputation of maximum prices of gray iron castings priced in accordance with paragraph (b) of this section.* (1) Except as hereinafter specified, the seller is required to make one recomputation of the maximum price for a gray iron casting priced under paragraph (b) of this section (but not under any other paragraph of this section) to determine whether his cost estimates are in accordance with his production experience (for example, the seller may have first estimated that five man-hours of molding time would be required in the production of the casting, whereas his production experience demonstrates that only four man-hours are necessary; in such a case the recomputed maximum price will be based on four man-hours of molding time rather than five). Overtime additions pursuant to paragraph (f) of this section shall not be deemed recomputations of maximum prices within the meaning of this paragraph. The recomputed maximum price shall be determined in accordance with the rates and pricing method set forth in paragraph (b) of this section and such price shall, subject to the provisions of § 1421.166 (b) (1) (ii) and § 1421.166 (f) of this regulation, thereafter, be the maximum price for the casting. Only one recomputation shall be made and it shall be made by the seller in pricing the first order received after completion of the order for which the original maximum price was computed, except that the seller shall make a second recomputation if the first recomputation was made or required to be made before the seller produced one hundred molds of the casting which is being priced. Where a second recomputation is required, it shall be made by the seller in pricing the first order received after completion of the order for which the first recomputation was made.

[Subparagraph (1) as amended by Am. 7, effective 3-1-44]

(2) In any case in which a seller, in accordance with the preceding subparagraph (1) of this paragraph (c), recomputes a maximum price which is higher than the maximum price earlier estimated, he shall file a report with the appropriate Regional Office of the Office of Price Administration containing:

(i) Description of the gray iron casting;

(ii) The maximum price prior to the price increase;

(iii) The new maximum price.

(iv) An explanation of the higher price (in terms of the pricing method and of the appropriate cost factors reflected in such pricing method): *Provided*, That if the price of the gray iron casting previously has been reported pursuant to this subparagraph (2) without objection from the Office of Price Administration, the seller shall not be required to report subsequent sales or deliveries at the same or a lower price.

(d) *Exceptions*. Any person who, by order of the Office of price Administration, Washington, D. C., or any of its Regional Offices, has been granted an adjustment of, or exception from, the maximum prices established by the General Maximum Price Regulation on sales of gray iron castings (this does not include orders granting a method of pricing under § 1499.3 (b) of the General Maximum Price Regulation), may continue to sell and deliver gray iron castings at prices not to exceed the maximum prices specified in such order and in accordance with the terms of such order.

(e) *Maximum prices in lieu of those set forth in paragraph (b) for castings which cannot be priced under paragraph (a)*.

Notwithstanding the provisions of paragraph (b) of this section, where the seller delivered a casting at any time before August 1, 1941 which is identical with the casting for which a maximum price is sought, and if such casting cannot be priced under paragraph (a) of this section, he may, if he so chooses, in lieu of determining the maximum price of such casting under paragraph (b) of this section, use as his maximum price for such casting the price at which he last delivered the identical casting before August 1, 1941, after adjusting such price in accordance with the applicable customary charges, discounts, quantity differentials and allowances in effect for him between August 1, 1941 and February 1, 1942: *Provided*, That (1) the seller may, in computing his maximum price of a gray iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (f) of this section, and (2) where a casting is sold or offered for sale on or after March 31, 1944 and the maximum price therefor is determined under this paragraph, the seller may not thereafter determine the maximum price for such casting under paragraph (b) of this section.

[Paragraph (e) amended by Am. 6, 8 F.R. 13722, effective 10-11-43, and Am. 7, effective 3-1-44]

(f) *Method of computing overtime addition permitted under paragraphs (a),*

(b) and (e) of this section. The addition which may be made to compensate for the cost of overtime labor (both direct and indirect shop and clerical labor) incurred in producing gray iron castings, as provided in paragraphs (a), (b) and (e) of this section, shall be computed²² as follows: The seller shall (1) elect to compute overtime on a calendar monthly or a calendar quarterly basis, and such election shall be final, i. e., the seller may not shift from a monthly to a quarterly basis if he has chosen a monthly basis, and vice versa (the calendar month or calendar quarter, whichever is selected, shall be referred to in this paragraph as the "period"), (2) determine the overtime premium (as used in this paragraph, the term "overtime premium" means the excess of total payments to labor incurred in producing gray iron castings in a period above the payments which would have been made for the same period if no overtime were paid) per dollar of sales of gray iron castings for the period immediately preceding the period in which the casting in question is priced, by dividing the overtime premium during such preceding period by the total gross sales of gray iron castings invoiced during such period, except that if the casting in question is priced within 15 days after the close of the preceding period, the next preceding period shall be used, (3) reduce such overtime premium per dollar of sales to reflect the percentage by which average straight time hourly earnings during such applicable preceding period

²² An example of the method of computing overtime labor costs in accordance with the requirements of § 1421.166 (f) is as follows: Assume that total overtime premium paid to labor involved in the production of gray iron castings for the period immediately preceding the period in which the casting in question is priced amounts to \$1,000; that total gross sales of gray iron castings invoiced during such preceding period were \$20,000; that the percentage increase of average straight time hourly earnings during such preceding period over average straight time hourly earnings during the payroll-period immediately preceding February 1, 1942, was 10%; and that the maximum price of the casting established under paragraph (b) of § 1421.166 is \$200 without the inclusion of any overtime. Then:

(a) Total overtime premium per dollar of sales of gray iron casting

$$\frac{\$1,000.00}{\$20,000.00} = \$0.05 \text{ per } \$1 \text{ of sales}$$

(b) Total overtime premium per dollar of sales of gray iron castings reduced to reflect average straight time hourly earnings in the payroll period immediately preceding February 1, 1942.

$$\frac{\$.05}{\$1.10} = \$0.045 \text{ per } \$1 \text{ of sales}$$

(c) Permissible overtime labor charge = $\$200.00 \times \$0.045 = \$9.00$

(d) New maximum price of casting $\$200.00 + \$9.00 = \$209.00$

The \$9.00 charge must be shown separately on the invoice.

If the original maximum price of \$200.00 under paragraph (b) of § 1421.166 already included a charge of, say, \$4 for overtime labor cost, then:

(c) in the above example would be $\$196 \times \$0.045 = \$8.82$

(d) in the above example would be $\$196 + \$8.82 = \$204.82$

exceed the average straight time hourly earnings during the payroll-period (the time element in a "payroll-period" may not be the same as that in a "period") immediately preceding February 1, 1942, and (4) apply the resultant rate in (3) to the maximum price of the casting which would otherwise be arrived at under paragraph (a), (b) or (e) of this section: *Providing, however*, That before overtime labor cost as specified in the foregoing, may be applied and added to the maximum price of a casting which would otherwise be arrived at under paragraph (b) of this section, such maximum price must be reduced to the extent that it already reflects any overtime labor costs.

[Paragraph (f) added by Am. 6, 8 F.R. 13722, effective 10-11-43 and amended by Am. 7, effective 3-1-44]

(g) *Maximum prices for gray iron castings sold pursuant to short orders*.

(1) Notwithstanding any provision to the contrary contained in paragraphs (a) to (f) of this section, inclusive, the maximum price of a gray iron casting sold pursuant to a "short order" as defined in the following subparagraph (2) shall be determined by multiplying the shipping weight of the casting by twice the seller's average price per pound for gray iron castings in the calendar year of 1942: *Provided*, That (i) the seller may add a set-up or starting charge for the short order of \$8.00 for non-cored castings or \$12.00 for cored castings, (ii) credit terms, discounts and allowances shall not be more onerous to the purchaser than those customarily used by the seller on February 1, 1942, (iii) transportation charges or allowances shall be made at rates prevailing at the time of delivery and shall be computed in accordance with the seller's customary practice on February 1, 1942, and (iv) the seller shall, not later than March 31, 1944, file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., a statement of his average price per pound for gray iron castings in the calendar year of 1942. As used in this subparagraph, the term "average price per pound" means the price computed by dividing the seller's total gross sales of gray iron castings, less returns and allowances, by the total weight of gray iron castings shipped.

(2) The term "short order" means an order for the purchase of a gray iron casting where the shipping weight of the casting multiplied by the quantity ordered does not exceed 200 pounds: *Provided*, That (i) if the casting is produced or is to be produced on a production run whereby the 200 pound limitation is exceeded or will be exceeded, the order shall not be deemed a short order, (ii) orders shall not be split into small quantities for the purpose of classification as

short orders, and (iii) if an order is received for a number of different patterns of gray iron castings, the order shall be deemed a short order with respect to each pattern for which the requirements hereinbefore specified are met.

[Paragraph (g) added by Am. 7, effective 3-1-44]

§ 1421.167 [Revoked]

§ 1421.168 [Revoked]

[[§§ 1421.167 and 1421.168 revoked by Am. 1, 7 F.R. 8942, effective 11-4-42]

§ 1421.169 Appendix D.

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Regional Offices and States and Territories Covered

Region I. Boston Regional Office, 55 Tremont Street, Massachusetts, Maine, New Hampshire, Vermont, Rhode Island, and Connecticut.

Region II. New York Regional Office, Empire State Building, New York, New Jersey, Pennsylvania, Delaware, Maryland, and District of Columbia.

Region III. Cleveland Regional Office, 308 Union Commerce Building, Ohio, Michigan, Indiana, Kentucky, and West Virginia.

Region IV. Atlanta Regional Office, Candler Building, Peachtree Street, Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina, and Virginia.

Region V. Dallas Regional Office, Fidelity Union Building, Texas, Oklahoma, Louisiana, Missouri, Arkansas, and Kansas.

Region VI. Chicago Regional Office, 226 West Jackson Boulevard, Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska.

Region VII. Denver Regional Office, 506 Kirtledge Building, Colorado, New Mexico, Utah, Idaho, Montana, and Wyoming.

Region VIII. San Francisco Regional Office, 1355 Market Street, California, Nevada, Arizona, Oregon, and Washington.

Region IX. Territorial Office, Office of Price Administration, Washington, D. C., Alaska, Puerto Rico, Virgin Islands, Canal Zone, and Hawaii.

Note: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 25th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2788; Filed, February 26, 1944; 11:58 a. m.]

PART 1499—COMMODITIES AND SERVICES TRANSPORTATION OF PETROLEUM PRODUCTS IN LOUISIANA

The statement of considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.*

[Rev. SR 14 to GMPR, Amdt. 97]

Section 7.18 is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

SEC. 7.18 *Transportation of petroleum products in bulk by tank truck within the State of Louisiana.* The maximum rates for the transportation of petroleum products by tank truck within the State of Louisiana by carriers other than common carriers, are the rates and charges published and contained in the Petroleum Transporters' Motor Freight Tariff No. 1 (L. P. S. C. No. 1), established by Order No. 3009 issued by the Louisiana Public Service Commission on November 8, 1943, and in amending L. P. S. C. authorities 11668-M to 11672-M, inclusive, issued on February 5, 1944, or the rates established by the General Maximum Price Regulation or any supplementary regulation or order issued by the Office of Price Administration, whichever rates are higher.

This amendment shall become effective March 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2780; Filed, February 26, 1944; 12:01 p. m.]

PART 1389—APPAREL

[MPR 506, Amdt. 2]

MANUFACTURERS' PRICES FOR STAPLE WORK GLOVES

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

Maximum Price Regulation 506 is amended in the following respects:

1. Item (6) in section 1, paragraph (a) is amended to read as follows:

(6) Gloves with leather palm and canton flannel or jersey back. However, grain leather palm gloves are not covered by this regulation.

2. The word "upward" in the first sentence of section 6 (c) is deleted.

3. Instruction 1, which precedes the tables in Appendix A, is amended to read as follows:

Instructions. 1. Prices are stated per dozen pair of gloves. On shipments weighing 100 lbs. or more, the seller must prepay or allow transportation costs to the city of destination. However, where such shipments are made at transportation rates higher than freight rates, the seller must allow or prepay only that portion of the transportation cost which is equal to the freight cost on such shipments. On less than 100 lb. shipments, the seller need not allow or prepay any transportation costs.

4. The reference to footnote number 2 which follows item ten, "10 oz. Men's double gauntlet", in Table 1 of Appendix A, is deleted, and footnote number 5 is substituted.

*9 F.R. 684, 1456.

5. Table 8 is added to Appendix A, after Table 7 and before Table 9, to read as follows:

TABLE 8—FULL LINED CANTON FLANNEL MITTENS

Men's 14½ oz., knit wrist ¹	\$2.02½
Men's 16 oz., knit wrist ¹	2.17½
Men's 20 oz., knit wrist ¹	2.30
Men's 20 oz., open top ("smelter's mitten").....	2.50

See footnotes at end of document.

6. Tables 10 and 11 are added to Appendix A, after Table 9 and before Table 12, to read as follows:

TABLE 10—FULL LINED JERSEY GLOVES, OPEN-WRIST ("SLIP ON")

Men's 13½-14 oz., plain shell.....	\$2.30
Men's extra-large, 13½-14 oz., plain shell.....	2.40
Women's 13½-14 oz., fleece out plain shell.....	2.10
Men's 13½-14 oz., cut presser fancy shell.....	2.42½

TABLE 11—MISSES' AND CHILDREN'S SINGLE THICKNESS JERSEY GLOVES

Ages up to 5, 9 oz. plain, knit wrist.....	\$1.30
Ages 5 to 10, 9 oz. plain, knit wrist.....	1.32½
Ages 10 to 15, 9 oz. plain, knit wrist.....	1.35
Ages up to 5, 9 oz. plain mitten, knit wrist.....	1.10
Ages 5 to 10, 9 oz. plain mitten, knit wrist.....	1.12½
Ages 10 to 15, 9 oz. plain mitten, knit wrist.....	1.15
Ages up to 5, 9 oz. plain, gauntlet.....	1.30
Ages 5 to 10, 9 oz. plain, gauntlet.....	1.32½
Ages 10 to 15, 9 oz. plain, gauntlet.....	1.35

7. Table 12 of Appendix A is amended to read as follows:

TABLE 12—LEATHER COMBINATION GLOVES (LEATHER PALM, 8 OZ. CANTON FLANNEL BACK, 6 OZ. OR HEAVIER FLANNEL LINING)

No. 12. Clute pattern—split palm, without leather finger tips:	
A. Men's knit wrist ¹	\$3.10
B. Women's knit wrist ¹	3.00
C. Men's single safety 2½".....	3.20
D. Men's single gauntlet 4½".....	3.30
E. Women's single gauntlet 4½".....	3.20
No. 13. Gunn pattern—knit wrist, ¹ leather finger tips:	
A. Men's split palm, ¾ leather thumb.....	4.40
B. Men's side split (cow or horse) palm, ² ¾ leather thumb.....	5.20
C. Men's heavy side split (cow or horse) palm, ² full leather thumb, forefinger and little finger, leather wrist pull.....	6.25
D. Men's side split (cow or horse) palm, ² full leather thumb and forefinger.....	5.45
D/1. Men's heavy side split (cow or horse) palm, ² full leather thumb and forefinger.....	5.65
E. Men's side split (cow or horse) palm, ² ¾ leather thumb; 10½ oz. seal jersey back.....	5.15
No. 13/1. Gunn pattern—split palm, ¾ leather thumb, leather finger tips:	
A. Men's single safety 2½".....	4.50
B. Men's double safety ³	4.70
C. Men's single gauntlet 4½".....	4.60
D. Men's double gauntlet 4½".....	4.95
No. 14. Gunn pattern—safety cufflet, ⁴ leather finger tips:	
A. Men's split palm, ¾ leather thumb.....	4.75
Women's split palm, ¾ leather thumb.....	4.65
B. Men's split palm, ¾ leather thumb, leather pull, leather knuckle strap.....	5.35

See footnotes at end of table.

TABLE 12—Continued

No. 14. Gunn pattern—safety cufflet, leather finger tips—Continued.	
C. Men's side split (cow or horse) palm, ⁹ full leather thumb, leather pull, leather knuckle strap	\$6.20
Women's side split (cow or horse) palm, ⁹ full leather thumb, leather pull, leather knuckle strap	6.10
O/1. Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb, leather pull, leather knuckle strap	6.45
D. Men's side split (cow or horse) palm, ⁹ full leather thumb and forefinger, leather pull, leather knuckle strap	6.40
D/1. Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb and forefinger, leather pull, leather knuckle strap	6.65
E. Men's side split (cow or horse) palm, ⁹ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back	6.65
E/1. Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back	6.90
G. Men's side split (cow or horse) palm, ⁹ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back	6.85
G/1. Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back	7.10
H. Men's side split (cow or horse) palm, ⁹ full leather thumb and finger backs, leather pull, leather knuckle strap	6.75
Clute pattern—Men's side split (cow or horse) palm, ⁹ full leather thumb and finger backs, leather pull, leather knuckle strap	6.60
No. 15. Gunn pattern—gauntlet cufflet, leather finger tips:	
A. Men's split palm, $\frac{3}{4}$ leather thumb, gauntlet cufflet ⁸	5.20
Women's split palm, $\frac{3}{4}$ leather thumb, gauntlet cufflet ⁸	5.10
B. Men's split palm, $\frac{3}{4}$ leather thumb, leather pull, leather knuckle strap, gauntlet cufflet ⁸	5.80
C. Men's side split (cow or horse) palm, ⁹ full leather thumb, leather pull, leather knuckle strap, gauntlet cufflet ⁸	6.65
O/1. Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb, leather pull, leather knuckle strap, gauntlet cufflet ⁸	6.90
D. Men's side split (cow or horse) palm, ⁹ full leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cufflet ⁸	6.85
D/1. Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb and forefinger, leather pull, leather knuckle strap, gauntlet cufflet ⁸	7.10
E. Men's side split (cow or horse) palm, ⁹ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back, gauntlet cufflet ⁸	7.10

See footnotes at end of table.

TABLE 12—Continued

No. 15. Gunn pattern—Continued.	
E/1 Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back, gauntlet cufflet ⁸	\$7.85
G. Men's side split (cow or horse) palm, ⁹ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back, gauntlet cufflet ⁸	7.30
G/1. Men's heavy side split (cow or horse) palm, ¹⁰ full leather thumb and forefinger, leather pull, $\frac{3}{4}$ length leather back, gauntlet cufflet ⁸	7.55
H. Men's side split (cow or horse) palm, ⁹ full leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cufflet ⁸	7.22½
Clute pattern—Men's side split (cow or horse) palm, ⁹ full leather thumb and finger backs, leather pull, leather knuckle strap, gauntlet cufflet ⁸	7.05
¹ Knit wrist—12 yard tubing (minimum), not less than 2½" finished.	
² Band top—Same material as glove, not less than 1¼" finished.	
³ Safety cuff—Double (2 ply) thickness, not less than 2½" finished.	
⁴ Safety cuff—Cufflet (waterproofed), not less than 2½" finished, not less than 23 oz. per square yard.	
⁵ Gauntlet cuff—Double (2 ply) thickness, not less than 5" finished.	
⁶ Gauntlet cuff—Cufflet (waterproofed), not less than 5¼" finished, not less than 23 oz. per square yard.	
⁷ Gauntlet cuff—Double (2 ply) thickness, not less than 4½" finished.	
⁸ Gauntlet cuff—Cufflet (waterproofed), not less than 4½" finished, not less than 23 oz. per square yard.	
⁹ Minimum weight of palm leather 2¼ oz.	
¹⁰ Minimum weight of palm leather 3 oz.	

This amendment shall become effective February 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 26th day of February 1944.

JAMES F. BROWNLEE,
Acting Administrator.[F. R. Doc. 44-2809; Filed, February 26, 1944;
4:53 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMFR 271, Amdt. 11]

POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

In section 9 (d), a paragraph is added to read as follows:

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 7017, 7494, 8075, 9160, 9995, 10731, 11672, 13338, 15587, 15663; 9 F.R. 1532.

In the case of potatoes, however, the country shipper may not make this addition in sales to any person in quantities of more than 800 pounds.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

Approved: February 19, 1944.

MARVIN JONES,
War Food Administrator.[F. R. Doc. 44-2871; Filed, February 28, 1944;
11:54 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B, Amdt. 11]

PASSENGER AUTOMOBILES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 2B is amended in the following respects:

1. Section 1.4 is amended to read as follows:

SEC. 1.4 *Where and how to apply for a certificate for a 1942 car.* (a) Application for a certificate for a 1942 car shall be made either in person or by mail to the Board serving the area in which the person applying will ordinarily keep his car, or to the Plant Area Board or Plant Area Panel serving the establishment in which he works, if jurisdiction to act upon automobile applications has been conferred on the Plant Area Board or Panel by the District Director. Exceptions to this are the American National Red Cross, agencies of the Federal Government, persons who require cars for experimental purposes and body builders who propose to alter the cars obtained. These persons must file applications directly with the Office of Price Administration, Washington, D. C., as provided in section 3.1.

(b) A separate application shall be filed on Form R-213 for each 1942 car whether new or used. The applicant shall personally sign the application unless he is physically unable to do so. He shall supply all the information required by the application and any other information which the Board may need to verify statements on his application in regard to his need or eligibility for a 1942 car or to the serviceability of his present car.

(c) In the case of a used 1942 car only, an applicant must also submit a written statement with his application, giving the following information about the specific used 1942 car he wishes to acquire: make; body type; serial number; engine

¹ 8 F.R. 2483, 5317, 5531, 5678.

number; current or previous license plate number and state of last registration. In the case of a dealer-owned car which has not been operated on individual private plates, the applicant must also submit the clearance statement issued to the dealer for that specific car.

2. Section 1.5 is amended to read as follows:

Sec. 1.5 When and how a certificate is issued and used. (a) If the applicant is applying for a new 1942 car and the Board determines that he is eligible, it shall indicate its approval on the application and shall forward it to the appropriate District Director for his action. The District Director may, within the limits of the monthly quota set for his district by the Office of Price Administration, issue a certificate on Form R-214.

(b) If the applicant is applying for a used 1942 car and the Board determines that he is eligible, it shall issue a certificate to him on Form R-214.

(c) The person to whom a ration certificate has been issued shall use it within fifteen days from the date on the certificate, but not thereafter, unless additional time is allowed by the Board. The allowance of any additional time shall be noted on the face of the certificate.

(d) A certificate for a used 1942 car may be used only to acquire the specific car described.

(e) Any person may deliver a 1942 car to anyone permitted to acquire it under this Ration Order 28.

(f) If the certificate is used to lease a car, the certificate holder shall sign the certificate and surrender all of its parts to the lessor. The lessor shall keep all parts of the certificate for his permanent files. In any other case the parts of the certificate shall be signed by the certificate holder and shall be disposed of according to the instructions on the certificate.

3. Section 1.6 (a) (1) is amended to read as follows:

(1) A member of the armed forces who is on active duty with any branch of the United States Army, Navy, Coast Guard or Marine Corps (including their component women's organizations such as the WAC, WAVES, SPARS and Marine Reserves) or anyone who has received a Certificate of Fitness, DSS Form 218, from a Selective Service Board.

4. Section 1.6 (a) (4) is hereby revoked.

5. Section 2.7 (b) is amended to read as follows:

(b) He may use a car for the purpose of demonstrating it to a person who is interested in purchasing the car.

6. Sections 2.7 (c) and 2.7 (d) are hereby revoked.

7. The third sentence of section 2.8 (a) is amended to read as follows:

This section shall not apply to a car registered for use by a dealer; to a car acquired and set aside before January 2, 1942 by the dealer for his use, even if a clearance statement has not been issued for this car under section 1.9a; to a demonstrator car set aside and used

before January 2, 1942 by the dealer or his employee for the purpose of demonstrating it to prospective customers; or to a car which the dealer has sold or contracted to sell to a person who has delivered a Certificate or Government Exemption Permit to him.

8. A new paragraph (e) is added to section 4.3 to read as follows:

(e) No person shall deliver a new 1942 car on a certificate authorizing the acquisition of a used 1942 car.

9. The following definitions are added to section 4.10:

"New 1942 car" means any 1942 passenger automobile (regardless of mileage) which has not been transferred to any person for use.

"Used 1942 car" means any 1942 passenger automobile (regardless of mileage) which has been transferred for use at any time to a person other than a dealer, or which a dealer has registered for his use or for which he has obtained a clearance statement.

This amendment shall become effective March 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong., WPB Dir. 1, 7 F.R. 563, Supp. Dir. 1A, 7 F.R. 695, 1493, 2229, 2729, Supp. Dir. 1Q, 7 F.R. 9121, E.O. 9125, 7 F.R. 2719)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2872; Filed, February 23, 1944;
11:53 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 367, Amdt. 4]

HORSEMEAT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 367 is amended in the following respects:

1. Section 1 (b) is amended to read as follows:

(b) On and after August 16, 1943, regardless of any contract, agreement or other obligation, no person shall sell or deliver, and no person in the course of trade or business shall buy or receive, any horsemeat item or product containing horsemeat, unless such item or product has been specifically designated in section 6 (b) and a maximum price established therefor, or unless a maximum selling price has been authorized for sale of such item pursuant to the provisions of section 10 of this regulation. However,

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 4918, 5341, 6048, 10660.

this prohibition shall not apply to the sale of any product containing horsemeat if the seller has filed a maximum selling price for such product pursuant to the provisions of Order No. 49 under the General Maximum Price Regulation, relating to sales of pet food and has complied with the provisions of Food Production Order No. 7, issued by the War Production Board on January 19, 1943, providing a limitation on sales of products for animal consumption.

2. The undesignated headnote above the table contained in section 6 (b) is amended to read as follows:

[All prices are on a dollars-per-hundred-weight basis except these prices specified for brains, cheelmeat, heart, livers, lungs, melts and tongues which are on a cents-per-pound basis: the price for any fraction of a hundredweight per pound shall be reduced accordingly.]

3. Subdivisions (ii) and (iii) of section 6 (c) are amended to read as follows:

(ii) *Independent wholesalers.* Where an independent wholesaler delivers horsemeat to the place of business of the buyer and the expense of such delivery is borne by the independent wholesaler, he may add 25 cents per cwt. to the price specified in paragraph (b) of this section 6.

(iii) *Slaughterer.* Where a slaughterer delivers horsemeat to the place of business of the buyer and the expense of such delivery is borne by the slaughterer, he may add 25 cents per cwt. to the price specified in paragraph (b) of this section 6.

4. Sections 10 through 13 are redesignated 11 through 14 respectively.

5. Section 10 is added to read as follows:

Sec. 10. Maximum prices for products which cannot be priced under section 6. If a maximum price for any pet food product containing horsemeat has not been established under section 6 of this regulation, any seller may apply to the Office of Price Administration at Washington, D. C., for a maximum price, setting forth in an application, (a) a description of the product for which the maximum selling price is sought, including, where appropriate a description of the nature and degree of processing to which the product has been subjected; the brand name to be used, if any; the weight and type of package; the number of packages to a shipping unit and the weight of the shipping unit. In addition to the foregoing, the seller shall indicate the price requested, and the method used in determining the requested price.

(b) An itemized breakdown of the current costs involved in the preparation of the product according to his own system of accounts or regularly prepared operating statements (that is, direct costs such as ingredients used, packaging materials and direct labor; and indirect costs, such as factory overhead, selling, and administrative costs, together with an explanation of the allocation of the indirect cost factors; and freight if the item is to be sold on a delivered basis).

In each case the seller shall indicate whether the cost item is an actual or estimated cost.

(c) The method of distribution to be employed by the seller in marketing the commodity (i. e. whether it is to be sold to wholesalers, retailers, general stores or others).

(d) Where any item of expense set forth in the application is an estimated amount, the applicant shall file with the OPA, Washington, D. C., within 90 days but not earlier than 60 days after his maximum price has been authorized, a statement showing the actual amount of that item of expense based on records maintained since the date of the authorized price.

(e) The formula of the item being priced showing separately each ingredient, including moisture, the aggregate of which will account for at least 95% of the total weight.

This amendment shall become effective March 4, 1944.

NOTE: The record-keeping and reporting provisions of the amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2873; Filed, February 28, 1944;
11:53 a. m.]

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 499,¹ Amdt. 1]

CERTAIN IMPORTED SWISS WATCHES

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 499 is amended in the following respect:

Section 4 is amended to read as set forth below:

Sec. 4. *Retail price tags.* On and after December 27, 1943, no importer or wholesaler shall deliver any pin-lever, cylinder, or Roskopf watch unless the retail price tag described below is attached to it, and on and after January 10, 1944, no retailer shall offer for sale, sell or deliver such a watch unless such a price tag is attached to it. If you are a retailer and do not know the ceiling price for any untagged watch, you should apply to the nearest OPA District Office to ascertain the ceiling price so that you may place a tag on each watch.

The tag must be durable and must be securely attached to each watch. It must contain in easily readable lettering

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 16600.

a statement of the type of movement (i. e. whether a pin-lever, cylinder or Roskopf), the number of jewels, either the size of the movement expressed in lignes or a statement that the size of the movement is under $8\frac{3}{4}$ lignes or $8\frac{3}{4}$ lignes or over, and the retail ceiling price exclusive of tax. The ceiling price for the watches in "waterproof" or "gold" cases may not be charged unless the tag so indicates. The type of movement may be stated by using the symbols "P" for pin-lever, "C" for cylinder, and "R" for Roskopf. The words "jewel" and "lignes" may be abbreviated to "J" and "L". The word "waterproof" may be abbreviated to "W." If the case contains gold, the tag may contain the symbol commonly used in trade to designate that type of gold metal, for example, "RGP" may be used to designate a "rolled gold plate" and "GF" a "gold filled" case. The tag may not be removed until the watch has been sold to the retail purchaser.

A tag in the following form will be sufficient:

4J over $8\frac{3}{4}$ L, PL, W
Retail ceiling excl. tax—\$17.00

This Amendment No. 1 shall become effective on the 4th day of March 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2874; Filed, February 28, 1944;
11:53 a. m.]

PART 1393—ICE

[MPR 154, as Amended, Amdt. 7]

ICE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1393.3 is amended to read as follows:

§ 1393.3 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given

by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

This amendment shall become effective March 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2875; Filed, February 28, 1944;
11:53 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[MPR 381,¹ Amdt. 2]

STOCK SCREEN GOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 381 is amended in the following respects:

1. In section 3 (b) the introduction to subparagraph (1) is amended to read as follows:

(1) *Ponderosa pine screen products (except combination doors with screen and sash inserts):* (Appendices: Tables 1, 2, 4, 5 [Patterns N and Q], 10, 11).

2. In section 3 (b) subparagraph (2) is renumbered (3) and a new subparagraph (2) is added to read as follows:

(2) *Ponderosa pine screen products:* (Appendix E: Table 9—Combination doors with screen and sash inserts.)

Kind of sale

Sales to jobbers and special dealers:	
All quantities.....	Maximum price List price less 21 percent of list price.
Sales to regular dealers:	
Full carloads of screen goods.....	List price less 21 percent of list price.
Distribution cars.....	List price less 12 percent of list price.
Less than carload quantities not shipped in distribution or pool cars.	List price less 3 percent of list price.
Direct factory sales to consumers:	
Full carloads of screen goods.....	List price less 21 percent of list price.
Distribution cars.....	List price less 12 percent of list price.
Retail sales:	
Full bundles.....	List price plus 23 percent of list price.
Broken bundles.....	List price plus 32 percent of list price.

¹ 8 F.R. 6159, 7108.

Kind of sale	Maximum price
Mail-order sales:	
Full bundles.....	List price less 3 percent of list price.
Broken bundles.....	List price plus 6 percent of list price.

This amendment shall become effective March 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2876; Filed, February 28, 1944;
11:54 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 493, Amdt. 6]

DRIED AND PROCESSED APPLES AND APPLE PRODUCTS, 1943, AND OTHER SPECIFIED CROPS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 9 (c) is added to read as follows:

(c) The processor's maximum price for any item covered by this section which is packed in glass containers of any of the sizes listed in the table below, and which the processor did not sell in those container types and sizes during the first 60 days after the beginning of the 1941 pack shall be 20 cents per dozen more than the maximum price for the same variety, style and grade packed in the equivalent can size.

CONTAINER EQUIVALENTS

Name	Dimension	Overflow capacity	
		Tin	Glass
No. 1 picnic.....	211 x 400.....	Ounces 10.94	Ounces 11 1/4
No. 300.....	300 x 407.....	15.22	15 1/2
No. 1 tall.....	301 x 411.....	16.70	17
No. 303.....	303 x 406.....	16.88	17
No. 2.....	307 x 409.....	20.55	22.75
No. 2 1/2.....	401 x 411.....	29.79	28.375
No. 3 Cyl.....	404 x 700.....	51.70	49

When a processor is able to establish maximum prices under the provisions of this paragraph, the procedure set forth in section 13 shall not be applicable.

This amendment shall become effective March 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2877; Filed, February 28, 1944;
11:55 a. m.]

*Copies may be obtained from the Office of Price Administration.

† 8 F.R. 15697, 16664; 9 F.R. 99, 1121, 1597.

PART 1346—BUILDING MATERIALS

[MPR 272, Amdt. 4]

CAST-IRON BOILERS AND CAST-IRON RADIATION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 272 is amended in the following respects:

1. Section 1356.268 (a) (3) is amended to read as follows:

(3) *Unlisted items.* The maximum price for any model or type of cast-iron boiler sold or offered for sale by a manufacturer prior to August 1, 1942, which is not listed in the sheet prices set forth or referred to in paragraph (e) of this section, shall be an amount not more than the net price which was charged or would have been charged by the manufacturer on a sale made on February 18, 1942, to the same purchaser or class of purchaser for like quantities, types, and sizes of cast-iron boilers plus 5 percent.

2. Section 1346.268 (b) (2) is amended to read as follows:

(2) *Unlisted items.* The maximum prices for sales by jobbers or purchasers from them of any model or type of cast-iron boiler, which is not set forth or referred to in paragraph (e) of this section, shall be the highest sheet price published by the jobber during February 1942, plus 5 percent or, if the jobber had no published sheet price for any model or type of cast-iron boiler which is not set forth or referred to in paragraph (e) of this section, the maximum price shall be the cost of such cast-iron boiler to the jobber plus a percentage mark-up on the cost not in excess of the percentage mark-up over such cost which the jobber received on the greatest portion of his sales of cast-iron boilers during February 1942, calculated upon the basis used by each jobber during February 1942.

3. Section 1346.268 (e) is amended to read as follows:

(e) *Sheet prices for cast-iron boilers.* (1) Sheet prices for cast-iron boilers for the following group of manufacturers shall be the prices set forth in the price sheet which bears the date of issuance designated below plus 5 percent.

Manufacturers and Date of Issuance

American Radiator & Standard Sanitary Corp., January 23, 1942.

† 7 F.R. 9486, 9972, 10618; 8 F.R. 6356, 13712.

Discounts:

	Shipments to jobbers	All other shipments
Pierco oil burning boilers—No. 61.....	Successive discounts of 5%, 3 1/2%, 2 1/2%, and 1% off sheet prices.	Successive discounts of 5% and 3 1/2% off sheet prices.
Pierco oil burning boilers—No. 62.....		
Pierco oil fifty boilers.....		
Pierco popular boiler-burner unit.....		
Pierco popular water boiler.....		
Pierco castwood oil.....	Successive discounts of 5%, 3 1/2%, 2 1/2%, and 1% off sheet prices.	Successive discounts of 5% and 3 1/2% off sheet prices.
Pierco stoker boilers—No. A23.....		
Pierco castwood.....		
Pierco American.....		
Pierco gold seal.....		
Pierco pebco.....		

Burnham Boiler Corporation, January 24, 1942.
Columbia Radiator Company, February 18, 1942.
Crane Company, January 26, 1942.
The Eastern Foundry Company, February 2, 1942.
International Heater Company, January 20, 1942.
Kohler Company, February 12, 1942.
The National Radiator Company, January 22, 1942.
Thatcher Furnace Company, January 27, 1942.
United States Radiator Corporation, January 15, 1942.
Utica Radiator Corporation, January 20, 1942.
Well-McLain Company, January 24, 1942.

The sheet prices for certain other manufacturers are not included in this list but are set forth in the next paragraph.

(2) The provisions of paragraphs (a) (1) and (e) (1) of this Appendix A shall not be applicable to sales of cast-iron boilers by the manufacturers named below: *Provided, however,* That all other parts of this regulation shall be applied with equal force and effect to said companies.

Sheet prices for the following group of manufacturers shall be the prices set forth in the price sheet which bears the date of issuance designated plus 10 percent subject to the discounts indicated:

Hart & Crouse Corporation:

Date of issuance of applicable price sheet. July 14, 1941.

Discounts:

Carload shipments to 20% and 5% off
jobbers. sheet prices.
Less than carload 20% off sheet prices.
shipments to jobbers.
All other shipments. Sheet prices.

The Ideal Furnace Company:

Date of issuance of applicable price sheet. January 1, 1942.

Discounts:

Shipments to jobbers 20% off sheet
from foundry. prices.
Shipments to jobber 17 1/2% off sheet
from warehouse. prices.
All other shipments. Sheet prices.

The H. B. Smith Company, Incorporated:

Date of issuance of applicable price sheet. October 1, 1941.

Discounts:

Shipments to jobbers. 20% and 5% off
sheet prices.
All other shipments. Sheet prices.

Pierce-Butler Radiator Company:

Date of issuance of applicable price sheet. October 11, 1941.

Frank Prox Company, Incorporated:

Date of issuance of applicable price sheet. November 21, 1941.
 Discounts:
 Carload shipment to jobbers. 20% and 5% off sheet prices.
 Less than carload shipments to jobbers. 20% off sheet prices.
 All other shipments. Sheet prices.

The Putnam Company:

Date of issuance of applicable price sheet for "General Boilers". August 28, 1941.
 Date of issuance of applicable price sheet for all other boilers. May 1, 1938.
 Discounts:
 Shipments to jobbers. 20% and 5% off sheet prices.
 Shipments to heating trade. 5% off sheet prices.
 All other shipments. Sheet prices.

Spencer Heater Division of the Aviation Corporation:

Date of issuance of applicable price sheet. February 2, 1942.
 Discounts:
 Carload shipments to jobbers. 15% and 5% off sheet prices.
 Less than carload shipments to jobbers. 15% off sheet prices.
 All other shipments. Sheet prices.

Freed Heater and Manufacturing Company:

Date of issuance of applicable price sheet. June 6, 1941.
 Discounts:
 Shipments to jobbers. 15% and 5% off sheet prices.
 All other shipments. Sheet prices plus 5%.

This amendment shall become effective February 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-2878; Filed, February 28, 1944; 11:55 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING
 [MPR 114, Amdt. 10]

WOODPULP

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The text of Appendix A, paragraph (d) (1) preceding subdivision (i) is amended to read as follows:

(1) Producers of sulphite woodpulp of special chemical, high alpha, or glassine grades; producers of Mitscherlich woodpulp; producers of sulphate woodpulp of special chemical or condenser grades; producers shipping pursuant to allocation by the War Production

Board woodpulp produced upon equipment not designed for the production of such pulp for sale on the open market; and producers of woodpulp produced in whole or in part from rags, paper stock or any fibre material other than wood, shall, before making any sale of woodpulp of any such grade, submit to the Administrator a sworn statement setting forth all the relevant facts, including:

This amendment shall become effective March 4, 1944.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-2879; Filed, February 28, 1944; 11:55 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 108]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

Section 1394.7706 (y) is added to read as follows:

(y) By a person regularly engaged in the business of dealing in used automotive parts for the travel required in locating and accumulating such parts. No preferred mileage shall be allowed under this paragraph unless the applicant presents to the Board a certification by the Regional Automotive Representative of the War Production Board, or the Chief of the appropriate section of the Automotive Division of the War Production Board, that travel by the applicant for such purpose is essential to the war effort.

This amendment shall become effective March 3, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of February 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-2880; Filed, February 28, 1944; 11:55 a. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 6A, Amdt. 8]

MIEN'S RUBBER BOOTS AND RUBBER WORK SHOES

A rationale accompanying this amendment, issued simultaneously herewith,

* 8 F.R. 15937, 16250, 16420, 16845, 16846, 17327, 17484, 17297; 9 F.R. 104, 286, 80, 1181, 1180, 972, 1326, 1397, 1712.

* 8 F.R. 9458, 11688, 15704; 9 F.R. 604.

has been filed with the Division of the Federal Register.*

Ration Order 6A is amended in the following respects:

1. Section 2.14 (d) is deleted.

2. Section 3.4 is amended by designating the text of the present section as paragraph (a); by adding a paragraph heading entitled "Exports"; and by deleting the last sentence of the section.

3. Section 3.4 (b) is added to read as follows:

(b) *Imports.* Any person may import rubber footwear into the United States if he first gives to the Collector of Customs at the point of entry certificates for the number of pairs of each type of rubber footwear which he wants to have released or delivered to him by the Collector of Customs. However, the Collector may release the rubber footwear without getting certificates if the rubber footwear (1) was imported by one of the exempt agencies referred to in section 3.5, (2) was imported as a part of the personal effects of a consumer who had not been in the continental United States during the previous 30 days, (3) was not made in the continental United States, is not imported for sale and not more than two pairs of rubber footwear are released to the same person in one transaction, or (4) was imported by representatives of foreign governments who are within the classes of persons specified in article 432 (a) and article 433 (c), Customs Regulations of 1937.

Certificates received by the Collector of Customs shall be sent, at least once each month, to the District Office for the area in which the certificates were received.

This amendment shall become effective March 3, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-N, 7 F.R. 7730; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of February 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-2881; Filed, February 28, 1944; 11:55 a. m.]

Chapter XIII—Petroleum Administration for War

[PDO 14, as Amended Feb. 26, 1944]

PART 1529—MARKETING PETROLEUM

The fulfillment of requirements for the defense of the United States has created in certain areas a shortage in the supply of motor fuel and fuel oil for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest to promote the national defense and to provide adequate supplies of motor fuel and fuel oil for military and other essential uses.

Petroleum Distribution Order No. 14 is hereby amended and reissued as follows:

§ 1529.2 *Petroleum Distribution Order No. 14—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, gov-

* Copies may be obtained from the Office of Price Administration.

* 7 F.R. 2843, 3576, 5059, 5564, 8997, 8948; 8 F.R. 321, 2334, 8877, 10558; 9 F.R. 1808.

ernmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, includes Grades Nos. 1, 2, 3, 4, 5, and 6, Bunker "C", Diesel oil, kerosene, range oil, gas oil, or any liquid petroleum product used for the same purposes as the above designated grades.

(4) "Supplier" means any person who regularly receives or refines motor fuel or fuel oil for redelivery.

(b) *Deliveries for specified uses.* Each supplier shall, within the limits of his supply, make withdrawal or delivery of motor fuel or fuel oil when such withdrawal or delivery is requested to satisfy the requirements of;

(1) The Army and the Navy of the United States, the Coast Guard, the War Shipping Administration, the United States Maritime Commission, and the Foreign Economic Administration; and

(2) Any person using or supplying motor fuel for non-highway farm uses who presents valid E, R, or bulk coupons or ration checks, issued pursuant to Ration Order 5C of the Office of Price Administration, to the extent of such uses only.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the reasons why he considers himself entitled to relief. All appeals shall be filed in triplicate.

(d) *Appeals and correspondence.* All correspondence and appeals filed under paragraph (c) shall, unless otherwise directed, be addressed to the District Director of Distribution and Marketing, Petroleum Administration for War at:

(1) 122 East 42nd Street, New York, New York, if the motor fuel or fuel oil is to be delivered or used in the State of Florida (west of the Apalachicola River).

(2) 1200 Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the motor fuel or fuel oil is to be delivered or used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(3) 245 Mellie Esperson Building, Houston, Texas, if the motor fuel or fuel oil is to be delivered or used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(4) 320 First National Bank Building, Denver, Colorado, if the motor fuel or fuel oil is to be delivered or used in the States of Montana, Wyoming, Colorado, Utah, or Idaho.

(5) 855 Subway Terminal Building, Los Angeles, California, if the motor fuel or fuel oil is to be delivered or used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

(e) *Violations.* Any person who willfully violates any provision of this order or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who willfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) *Area of applicability.* The provisions of this order shall be applicable to any person located in the States of Alabama, Arizona, Arkansas, California, Colorado, Florida (west of the Apalachicola River), Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming, and the Territories of Alaska and Hawaii.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 26th day of February 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-2762; Filed, February 26, 1944;
10:41 a. m.]

Chapter XV—Board of War Communications

[Order 19-B]

PART 1714—INTERNATIONAL RADIOTELEPHONE COMMUNICATIONS

Whereas, The Board of War Communications has determined that the national security and defense and the successful conduct of the war demand the termination of certain international radiotelephone communications;

Now, therefore, by virtue of the authority vested in the Board by Executive Order No. 8964, dated December 10, 1941 (6 F.R. 6367) Order No. 19-A dated March 17, 1943 (8 F.R. 3535), is hereby amended to read as follows: *It is hereby ordered as follows:*

§ 1714.1 *Termination of certain international radiotelephone communications.* From and after the date hereof, (a) non-governmental business radiotelephone calls between the United States and Great Britain shall be permitted subject to the prior approval thereof from the Office of Censorship. No personal radiotelephone calls shall be permitted between the United States and Great Britain.

(b) No non-governmental business or personal radiotelephone call shall be made to or from any foreign point outside of the Western Hemisphere other than Great Britain unless such call is made in the interest of the United States

or the United Nations and unless an agency of the United States Government sponsors such call and obtains prior approval therefor from the Office of Censorship: *Provided, however,* That this provision shall not apply to American press calls or radio broadcast programs, or to such other press calls and radio programs as may be specifically approved by the Office of Censorship.

(c) No calls of any nature, over the radiotelephone circuits under the jurisdiction of the United States, no matter where such calls may originate, unless sponsored and approved as provided in paragraph (b), shall be permitted to, from, or on behalf of, the following thirteen countries: Egypt, Finland, France, Iceland, Iran, Ireland, Latvia, Lithuania, Portugal, Spain, Sweden, Switzerland, and Turkey.

(d) Personal calls other than those prohibited in the foregoing paragraphs may be completed between two points in the Western Hemisphere.

Subject to such further order as the Board may deem appropriate.

Nothing herein shall apply to existing regulations governing the use of cable, telegraph, or radiotelegraph communications.

BOARD OF WAR COMMUNICATIONS,
JAMES LAWRENCE FLY,
Chairman.

Attest: February 19, 1944.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 44-2353; Filed, February 23, 1944;
11:17 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

MILITARY INFORMATION

Sections 5.5 (b) and 5.10 are hereby amended to read as follows:

§ 5.5 *Requests for military information.*

(b) (1) Exchanges of classified or unclassified military information, other than technical information, with foreign nationals will be made only through or with the express permission of the Assistant Chief of Staff, G-2, War Department General Staff.

(2) Exchanges of classified or unclassified technical information with foreign nationals will be made in accordance with existing War Department instructions issued on this subject to the Commanding Generals, Army Ground Forces, Army Air Forces, and Army Service Forces. (R.S. 161; 5 U.S.C. 22) [Par. 14, b, AR 380-5, 28 September 1942, as amended by C 17, 15 February 1944]

§ 5.10 *Dissemination of classified technical information.* Classified information concerning technical projects or developments may be imparted only to

persons in the military and naval services of the United States, including civilian employees, who have legitimate interest therein, to American citizens of known loyalty and discretion who of necessity must be informed because of their cooperation in the work, project, or development, and to accredited representatives of foreign nations in accordance with the provisions of § 5.5 (b) of this chapter. (R.S. 161; 5 U.S.C. 22) [Par. 50, AR 380-5, 28 September 1942, as amended by C 17, 15 February 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-2817; Filed, February 28, 1944;
10:30 a. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision 49]

PART 30—FOREIGN TRADE STATISTICS

DATES OF IMPORTATION AND EXPORTATION FEBRUARY 25, 1944.

Section 30.13 is amended to read as follows:

§ 30.13 *Dates of importation and exportation.* For statistical purposes the date of entry will be regarded as the date of importation; and the date of clearance, or the date of departure if later, will be regarded as the date of exportation.

(R.S. 161, sec. 4, 32 Stat. 826; 5 U.S.C., 22, 601)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 44-2802; Filed, February 26, 1944;
12:17 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 95—CAR SERVICE

[S. O. 107-A]

FREIGHT CARS IN MEXICO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of February, A. D. 1944.

Upon further consideration of Service Order No. 107 (8 F.R. 1403) of January 30, 1943; as amended (9 F.R. 1065), and good cause appearing therefor:

It is ordered, That:

Service Order No. 107 (8 F.R. 1403) of January 30, 1943, as amended (9 F.R. 1065), 49 C.F.R. § 95.7, controlling the movement of railroad freight cars into Mexico, be, and it is hereby, suspended until further order of this Commission. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this order shall become effective immediately; that a copy of this order and direction shall

be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.
[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-2815; Filed, February 28, 1944;
10:20 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 9, Amdt. 2]

PART 503—ADMINISTRATION

MOTOR CARRIERS: RECORDS AND REPORTS

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21, *It is hereby ordered, That:*

The use of Form CWN-OR, which is reproduced in Appendix 3 to Administrative Order ODT 9 (8 F.R. 14166 and 9 F.R. 948), shall be discontinued, and that the new Form CWN-OR (Rev.), a reproduction of which appears as an appendix to this Amendment 2 to Administrative Order ODT 9, designated as Appendix 3 (Revised),¹ shall replace said Form CWN-OR as the operating report form to be used pursuant to § 503.254 of Administrative Order ODT 9.

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U.S. Code §§ 631 through 645a; E.O. 8989, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 26th day of February 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-2822; Filed, February 28, 1944;
10:30 a. m.]

Notices

WAR DEPARTMENT.

[Cir. 79]

LAPEL BUTTON FOR HONORABLE SERVICE RULES OF ELIGIBILITY AND DISTRIBUTION²

1. The following personnel are authorized to wear and are entitled to the issue of the lapel button for honorable service subsequent to 8 September 1939:

a. All military personnel who have served honorably in active Federal service in the Army of the United States since

¹ Form filed as part of the original document.

² These rules supersede corresponding rules published 15 December 1943, 8 F.R. 16799.

8 September 1939, and who are, or have been, honorably discharged, retired, or transferred to an inactive status.

b. Officers and enrolled members of the Women's Army Auxiliary Corps, whose separation from the service was under honorable conditions.

2. One lapel button will be issued to the personnel named in paragraph 1a at the time of retirement, transfer to inactive reserve status, or honorable separation from the service. The discharging or transferring authority will arrange with a custodian of buttons for such issue.

3. All personnel who are eligible to receive and wear this lapel button under the provisions stated above and who have not previously been issued a button are authorized to make application therefor, either:

a. In person at any Army installation, other than ports of embarkation, or

b. In writing to any Army installation, other than ports of embarkation.

4. Personnel, other than officers, applying for this button will present a discharge certificate, certificate of service, or War Department special order announcing retirement. Officers applying for the button may, in lieu of either of the above-mentioned certificates, present one true copy of orders or other instrument relieving them from active duty.

5. Notation of the issue of a lapel button will be made on the reverse side of the discharge certificate or the certificate of service. No other record will be required.

6. Duplicate buttons may be sold by the officers detailed as custodians of stocks of lapel buttons to any applicant presenting documentary evidence of honorable discharge, relief, or retirement, and certificate that the button originally issued has been lost. The notation required by the foregoing paragraph will be modified to show such sale. Issuing officers will collect the cost of the button from each individual to whom a duplicate is sold and deposit such collections as of the last day of each month with the disbursing officer serving the installation. (R.S. 161; 5 U.S.C. 22) [Sec. V, W.D. Cir. 79, 22 February 1944]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-2818; Filed, February 28, 1944;
10:30 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

PROSSER CREEK RESERVOIR SITE, CALIF. PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

DECEMBER 31, 1943.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Prosser Creek Reservoir site, the withdrawal of the hereinafter described lands, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388) by Departmental order of October 18, 1940, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the land hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other land by said order or affect any other order withdrawing or reserving the land hereinafter listed.

PROSSER CREEK RESERVOIR SITE

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 17 N., R. 16 E.,
Sec. 2, SE¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: February 10, 1944.

FRED W. JOHNSON,
*Commissioner of the General
Land Office.*

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 14, 1944.

[F. R. Doc. 44-2761; Filed, February 26, 1944;
9:36 a. m.]

Coal Mines Administration.

[Order CMA-22]

BELLE VALLEY COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT
POSSESSION

I have been advised that the mining companies listed in Appendix A have entered into wage agreements with their employees in conformity with a basic wage agreement between the Progressive Mine Workers of America and certain Illinois producers, heretofore approved by the National War Labor Board, and that there no longer exist any work stoppages or threats of work stoppages because of labor disputes at said mines. Based upon such advice, and after consideration of all the circumstances, I find that possession by the Government of the mines of such mining companies is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, which is attached hereto and made a part hereof, including any and all real personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines, be, and it is hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Instruments of agreement and certification having heretofore been executed and filed with the Coal Mines Administration by each of said companies, the appointments of the operating managers for their mines are terminated, as provided by section 25 (f), as amended, of the Regulations for the Operation of Coal Mines under Government Control.

ABE FORTAS,

Acting Secretary of the Interior.

FEBRUARY 25, 1944.

APPENDIX A

Name of Mining Company and Address

1. Belle Valley Coal Co., R. R. #1, Belleville, Illinois.
2. Bunker Hill Coal & Mining Co., Collinsville, Illinois.
3. The Burnwell Coal Co., Collinsville, Illinois.
4. Collinsville Coal Corporation, 216 S. Seminary, Collinsville, Illinois.
5. Coulterville Coal Company, Coulterville, Illinois.
6. Denkert Coal Company, Riverton, Illinois.
7. Edinburg Coal Company, Edinburg, Illinois.
8. Edwardsville Coal Co., Inc., R. F. D. #3, Edwardsville, Illinois.
9. Groom Coal Co., 1938 West Main St., Belleville, Illinois.
10. Lakeside Coal Company, State Route #98, Peking, Illinois.
11. The Livingston-Mt. Olive Coal Company, Livingston, Illinois.
12. Mielke Bros., Coal Valley, Illinois.
13. Edward Mohn & Son, Smithville Road, Bartonville, Illinois.
14. New National Coal & Mining Co., 500 Union Ave., Belleville, Illinois.
15. Pana Mines Corporation, 5 N. State St., Pana, Illinois.
16. Pep Coal Company, New Athens, Illinois.
17. Frairtown Coal Company, Inc., R. F. D., Worden, Illinois.
18. Purity Coal Co., 118 S. Virginia Ave., Belleville, Illinois.
19. Rawalt Coal Company, 508 East Elm Street, Canton, Illinois.
20. Service Coal and Mining Company, N. Illinois St. & L. & N. Tracks, Belleville, Illinois.
21. Shiloh Valley Coal Company, R. R. #2, Belleville, Illinois.
22. South Mine Company, Carlinville, Illinois.
23. Sunset Hill Coal Company, Inc., R. R. #4, Edwardsville, Illinois.
24. Troy Domestic Mining Company, Troy, Illinois.
25. Truck Trade Coal Company, R. R. #1, Edwardsville, Illinois.
26. Victory Coal Mining Company, Pana, Illinois.

27. Virden Mining Corporation, Dye & Fortune Sts., Virden, Illinois.
28. Washed Coal Company of Belleville, Inc., 117 Carlyle Rd., Belleville, Illinois.
29. Wenneburg Coal Co., Sherman, Illinois.
30. White Ash Coal Co., City Mounted Route No. 105, Peoria, Illinois.

[F. R. Doc. 44-2893; Filed, February 26, 1944;
12:44 p. m.]

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION VIII—TEXAS

TERRELL COUNTY

Locality I: Consisting of precincts 1, 3, and 5.....	\$1,873
Locality II: Consisting of precinct 4.....	2,834
Locality III: Consisting of precincts 2, and 7.....	2,094
Locality IV: Consisting of precinct 6.....	1,463

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved February 25, 1944.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 44-2896; Filed, February 26, 1944;
3:40 p. m.]

Rural Electrification Administration.

[Administrative Order 805]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 8, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Arkansas 4-3013D2 Johnson.....	\$50,000
Idaho 4-0311E4 Ecotenal.....	15,000
Iowa 4-3003B2 Plymouth.....	80,000
Iowa 4-3062B3 Ida.....	70,000
Iowa 4-3063B2 Henry.....	50,000
Kentucky 4-3040C3 Jessamine.....	25,000
Kentucky 4-3052E2 Fleming.....	40,000
Louisiana 4-3017E1 Claiborne.....	65,000
Michigan 4-3026D2 Ingham.....	50,000

Project designation—Con.	Amount
Missouri 4-3032F1 Atchison	\$100,000
Missouri 4-3041A2 Platte	25,000
Ohio 4-3001C2 Miami	40,000
Oklahoma 4-2029B1 Hughes	110,000
Texas 4-3102B3 Jackson	30,000
Vermont 4-8010B3 Windham	10,000
Virginia 4-3034B4 Lee	28,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-2848; Filed, February 28, 1944;
11:15 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of the cancellation of one special certificate and the affirmation of another special certificate issued to General Webbing Corporation, Springfield, Massachusetts, for the employment of learners at wage rates less than the applicable minimum under section 6 of the Fair Labor Standards Act of 1938.

Notice is hereby given of a finding and determination dated February 23, 1944, ordering the cancellation as of November 24, 1941 of a special certificate issued to General Webbing Corporation, Springfield, Massachusetts, for the effective period from November 24, 1941 to November 24, 1942, authorizing the employment of three learners at less than the minimum wage rate applicable under section 6 of the Fair Labor Standards Act of 1938, and the affirmation of a special certificate issued to the aforementioned company for the effective period from December 15, 1941, to March 30, 1942, authorizing the employment of eleven learners at less than the minimum wage rate applicable under section 6 of the Fair Labor Standards Act of 1938.

Any person aggrieved by this action, may, within fifteen days after publication of this notice in the FEDERAL REGISTER, make application for reconsideration thereof by the Administrator or his authorized representative, or file a petition for review of the decision by the Administrator or an authorized representative who has taken no part in the action which is the subject of review.

The order of cancellation shall not take effect until the expiration of time allowed for the filing of a petition for review under § 522.151 of the regulations, Part 522, and if a petition for review is filed thereunder, the effective date of cancellation shall be postponed until final action is taken on such petition.

Signed at New York, New York, this 23d day of February 1944.

ISABEL FERGUSON,
Duly Authorized Representative
of the Administrator.

[F. R. Doc. 44-2764; Filed, February 26, 1944;
11:28 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners

under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Alperin Strauss Company, Inc., Division of Reliance Manufacturing Co., Loogootee, Indiana; white twill Navy middie; 10 percent (T); effective February 21, 1944, expiring February 20, 1945.

The Beacon Company, 519 Broadway, Kingston, New York; cotton dresses; 10 percent (T); effective February 26, 1944, expiring February 25, 1945.

Castro & Walsh, Inc., Belfast, Maine; infants' wear; 10 learners (T); effective February 21, 1944, expiring February 20, 1945.

Castro & Walsh, Inc., Camden, Maine; infants' wear; 10 learners (T); effective February 21, 1944, expiring February 20, 1945.

The C. B. Cones & Son Manufacturing Company, 18-24 N. Senate Ave., Indianapolis, Indiana; overalls, work shirts, work pants; 10 percent (T); effective February 21, 1944, expiring February 20, 1945.

Helene Dress Company, 165 Water Street, Catskill, New York; dresses; 10 percent (T); effective February 26, 1944, expiring February 25, 1945.

Lady Ester Lingerie Corporation, 10th & Walnut Street, Berwick, Pennsylvania; ladies' underwear, aprons; 10 learners (T); effective February 22, 1944, expiring February 21, 1945.

S. Liebovitz & Sons, Inc., Cedar Street, Kutztown, Pennsylvania; men's & boys' zelan coats; 10 learners (T); effective February 25, 1944, expiring February 24, 1945.

Liotta Sportwear; 128 N. White Street, Shenandoah, Pennsylvania; dresses; 10 learners (T); effective February 21, 1944, expiring February 20, 1945.

Pool Manufacturing Company, S. Montgomery Street, Sherman, Texas; Military shirts, wash shirts, dress shirts, single pants, Army pants, wash and semi-dress pants, overalls, one-piece suits and overall jackets; 10 percent (T); effective February 22, 1944, expiring February 21, 1945.

Rensselaer Company, Inc., Lewis & Delaware Avenue, Minersville, Pennsylvania; Army shirts, civilian pajamas; 10 percent (T); effective February 24, 1944, expiring February 23, 1945.

Rob Roy Shirt Company, Ridgely, Maryland; boys' shirts; 30 learners (E); effective February 21, 1944, expiring August 20, 1944.

Edward Shuwall & Company, Inc., Penn & Hanover Streets, Pottstown, Pennsylvania; children's dresses; 10 percent (T); effective February 26, 1944, expiring February 25, 1945.

Sunnyvale, 614 Wyoming Avenue, Scranton, Pennsylvania; wash dresses; 10 percent (T); effective February 26, 1944, expiring February 25, 1945.

Thurmond Manufacturing Company, Madison, Georgia; shirts, pants, jackets; 10 percent (T); effective February 21, 1944, expiring February 20, 1945.

HOSIERY INDUSTRY

Bloomsburg Hosiery Mills, Inc., 164 W. 9th Street, Bloomsburg, Pennsylvania; infants' and children's seamless hosiery; 5 percent (T); effective February 23, 1944, expiring February 22, 1945.

Claussner Hosiery Company, No. 1, 2nd & Tennessee Streets, Paducah, Kentucky; full-fashioned hosiery; 5 learners (T); effective February 21, 1944, expiring February 20, 1945.

Claussner Hosiery Company, No. 2, 28th & Adams Streets, Paducah, Kentucky; full-fashioned hosiery; 5 percent (T); effective February 21, 1944, expiring February 20, 1945.

Commonwealth Hosiery Mills, Ellerbe, North Carolina; seamless hosiery; 10 learners (AT); effective February 26, 1944, expiring August 25, 1944.

Cooksville Hosiery Mill, Route #3, Vale, North Carolina; seamless hosiery; 5 learners (T); effective February 26, 1944, expiring February 25, 1945.

Cumberland Manufacturing Company, Inc., Crossville, Tennessee; full-fashioned hosiery; 5 learners (T); effective February 24, 1944, expiring February 23, 1945.

Fisher Hosiery Company, Inc., 7th & Court Streets, Reading, Pennsylvania; ladies' seamless hosiery, girdle garters; 5 learners (T); effective February 26, 1944, expiring February 25, 1945.

Homestead Manufacturing Company, Inc., Bankhead Farmstead, Jasper, Alabama; full-fashioned hosiery; 5 learners (T); effective February 24, 1944, expiring February 23, 1945.

Penderlea Manufacturing Company, Inc., Penderlea Farms, Willard, North Carolina; full-fashioned; 5 learners (T); effective February 24, 1944, expiring February 23, 1945.

Red House Manufacturing Company, Inc., Red House Farmsteads, Eleanor, West Virginia; full-fashioned hosiery; 5 learners (T); effective February 24, 1944, expiring February 23, 1945.

Skyline Manufacturing Company, Inc., Skyline Farms, Scottsboro, Alabama; full-fashioned hosiery; 5 learners (T); effective February 24, 1944, expiring February 23, 1945.

Spalding Knitting Mills, South Pittsburg Plant, South Pittsburg, Tennessee; seamless hosiery; 5 learners (T); effective February 21, 1944, expiring February 20, 1945.

KNITTED WEAR INDUSTRY

H. L. Miller and Son, Coal Street, Fort Carbon, Pennsylvania; men's, ladies' and children's cotton knit underwear; 5 percent (T); effective February 25, 1944, expiring February 24, 1945.

TELEPHONE INDUSTRY

Central Iowa Telephone Company, Toledo, Iowa; to employ learners as commercial switchboard operators at its Forest City exchange, located at K Street, Forest City, Iowa; effective February 23, 1944, expiring February 22, 1945.

Clarke County Telephone Company, Osceola, Iowa; to employ learners as commercial switchboard operators at its Osceola exchange, located at Osceola, Iowa; effective February 21, 1944, expiring February 20, 1945.

TEXTILE INDUSTRY

Pacific Mills—Olympia Plant, Columbia, South Carolina; cotton grey goods; 3 percent (T); effective February 21, 1944, expiring February 20, 1945.

Pacific Mills—Richland Plant, Columbia, South Carolina; cotton grey goods; 3 percent (T); effective February 21, 1944, expiring February 20, 1945.

Ware Shoals Manufacturing Company Ware Shoals, South Carolina; cotton grey goods; 3 per cent (T); effective February 21, 1944, expiring February 20, 1945.

Signed at New York, N. Y., this 26th day of February 1944.

ISABEL FERGUSON,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 44-2846; Filed, February 28, 1944;
11:05 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates

may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Blount-Parker Corp., Lacona, New York; bathinettes; 3 learners (T); sewing machine operator for a learning period of 240 hours at 35 cents per hour; effective February 23, 1944, expiring June 22, 1944.

The John Mueller Licorice Company, 1515 Freeman Avenue, Cincinnati, Ohio; candy; 5 learners (T); assembling operations in the manufacture of licorice candy for a learning period of 160 hours at 35 cents per hour; effective February 29, 1944 expiring August 29, 1944.

Signed at New York, N. Y., this 26th day of February 1944.

ISABEL FERGUSON,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 44-2847; Filed, February 28, 1944;
11:05 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6576]

CHESAPEAKE AND POTOMAC TELEPHONE CO.

ORDER SETTING HEARING DATE

In the matter of The Chesapeake and Potomac Telephone Company. Surcharges collected by hotels, apartment houses and clubs on interzone message telephone service.

At a session of the Federal Communications Commission held on the 14th day of February, 1944, at its offices in Washington, D. C.;

It appearing that The Chesapeake and Potomac Telephone Company filed with this Commission on January 22, 1944, a tariff schedule to be effective February 15, 1944, designated as follows: "The Chesapeake and Potomac Telephone Company, Tariff F. C. C. No. 15, First Revised Page 8;"

It further appearing that the above tariff schedule provides that a "service charge" not to exceed five cents may be made by hotels, apartment houses, and clubs in the District of Columbia on each interzone telephone message within the Washington Metropolitan Area from private branch exchange extension telephone in rooms or apartments occupied by transients;

It further appearing that the "service charge" for which provision is thus made is a "surcharge" of the kind which this Commission has decided in its report and order of December 10, 1943 (P-29), in Docket No. 6255, must be properly shown in effective tariff schedules filed with this Commission if they are to be collected;

It further appearing that the "service charge" provided for by the above tariff schedule may be unjust, unreasonable, unjustly or unreasonably discriminatory, or otherwise unlawful under the pro-

visions of the Communications Act of 1934, as amended;

It further appearing that the above tariff provision may be so indefinite and ambiguous as to its application as to be violative of the provisions of § 61.55 of the Commission's Rules and Regulations requiring clear, definite, and explicit statements as to charges and related regulations;

It further appearing that the District of Columbia Public Utilities Commission has disapproved a like tariff provision filed with it with respect to the collection of a "service charge" on interzone telephone messages within the Washington Metropolitan Exchange Area;

It is ordered, That the Commission shall, on its own motion, and without formal pleading, enter upon a hearing concerning the lawfulness of the new provision contained in the above-cited tariff schedule with respect to "service charges" on interzone telephone messages;

It is further ordered, That the operation of the above-cited tariff schedule be, and it is hereby suspended until May 15, 1944, unless otherwise ordered by the Commission; and that during such period of suspension, no changes shall be made in the provisions of the above-cited tariff schedule, or in any provisions sought to be altered thereby, unless authorized by the Commission;

It is further ordered, That in the event a decision as to the lawfulness of the tariff provision herein suspended has not been made during the suspension period, and "service charges" as provided for therein become effective. The Chesapeake and Potomac Telephone Company shall, until further order of the Commission, keep, or cause to be kept, accurate account of all amounts collected from telephone users by reason of such "service charges", in which accounting there shall be specified by whom and in whose behalf such amounts are paid;

It is further ordered, That the hearing be, and it is hereby scheduled to be held beginning at 10:00 a. m., on the 15th day of March, 1944 at the offices of the Commission in Washington, D. C.;

It is further ordered, That a copy of this order shall be filed in the offices of the Federal Communications Commission with the tariff schedule herein suspended; that copies hereof shall be served upon the District of Columbia Public Utilities Commission; the Maryland Public Service Commission; the Virginia State Corporation Commission; the National Association of Railroad and Utilities Commissioners; The Chesapeake and Potomac Company; The Chesapeake and Potomac Telephone Company of Baltimore City; The Chesapeake and Potomac Telephone Company of Virginia; the Hotel Association of Washington, D. C., Inc.; and the Building Owners and Managers Association of Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-2763; Filed, February 26, 1944;
11:35 a. m.]

[Docket No. 6577]

PENNSYLVANIA TELEPHONE CORP.

ORDER SETTING HEARING DATE

In the matter of Pennsylvania Telephone Corporation; accounting.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 16th day of February, 1944;

It appearing that beginning in the year 1940 and continuing to date, the Pennsylvania Telephone Corporation has made, and is continuing to make, charges to its operating expense Account 614, "Amortization of Telephone Plant Acquisition Adjustment" (§ 31.614 of the Commission's Rules and Regulations), for the purpose of amortizing or otherwise disposing of amounts included in its Account 100.4, "Telephone Plant Acquisition Adjustment" (§ 31.100:4 of the Commission's Rules and Regulations), without the prior direction, authorization or approval by this Commission, required by the provisions of paragraph (c) of account 100.4 by those of Account 614, and of Commission Order No. 60, adopted July 12, 1939; and that the Pennsylvania Telephone Corporation has continued to make such charges to its operating expense Account 614 despite the fact that in March, 1942, and repeatedly thereafter, the company's attention was directed to this violation of the Commission's Rules and Regulations and its Order No. 60;

It is ordered, That the Pennsylvania Telephone Corporation shall appear and show cause why the Commission should not refer to the Attorney General of the United States, for the institution and prosecution of appropriate proceedings, the matter of the violation by the Pennsylvania Telephone Corporation, its directors, and responsible officers, of the provisions of Account 100.4 (paragraph (c)) and Account 614 of the Commission's Uniform System of Accounts for Class A and Class B Telephone Companies; of Commission Order No. 60 adopted July 12, 1939; and of paragraphs (d) and (g) of section 220 of the Communications Act of 1934, as amended;

It is further ordered, That all charges to operating expense accounts which have been made by the Pennsylvania Telephone Corporation on and after January 1, 1943 for the purpose of, or in conjunction with, amortizing or otherwise disposing of amounts in its Account 100.4 be, and they are hereby suspended, pending determination by the Commission of the propriety and reasonableness of such charges; that the Pennsylvania Telephone Corporation shall cease and desist from making any such charges to operating expense accounts pending such determination, unless otherwise specifically directed by the Commission; and that the Pennsylvania Telephone Corporation shall make an appropriate annotation in its annual (Form M) report to this Commission for the years ended December 31, 1940, 1941, and 1942, which shall state that all charges to Account 614 in those years have been questioned, and are under investigation, by this Commission;

It is further ordered, That three certified copies of the suspending entries, and of the annotations, required by the immediately preceding ordering paragraph, shall be filed with the Commission on or before the 22nd day of March, 1944;

It is further ordered, That an investigation be, and the same is hereby, instituted into the account performed, and the accounts, records, and memoranda kept by the Pennsylvania Telephone Corporation with respect to all entries made to its Account 100.4, and related entries;

It is further ordered, That a hearing on the above matters shall be held beginning at 10:00 a. m. on the 22d day of March 1944 at the offices of the Commission in Washington, D. C.;

It is further ordered, That the hearing provided for by this order shall be conducted jointly with any hearings involving similar matters which may be ordered for the same time and place by the Pennsylvania Public Utility Commission;

It is further ordered, That copies of this order shall be served upon the Pennsylvania Telephone Corporation and upon each of its directors and officers for the period beginning January 1, 1940 to date, upon the Pennsylvania Public Utility Commission, and the National Association of Railroad and Utilities Commissioners.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-2767; Filed, February 26, 1944;
11:35 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5024]

BENNETTSVILLE MATTRESS FACTORY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of February A. D. 1944.

In the matter of John P. Dowd, an individual doing business under the firm name and style of Bennettsville Mattress Factory.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Miles J. Furnas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, March 20, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Federal Courtroom, Post Office Building, Charlotte, North Carolina.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-2763; Filed, February 26, 1944;
10:55 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 178, Special Permit 40]

REFRIGERATION OF LARD AT WATERLOO, IOWA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of five (5) refrigerator cars with lard by Rath Packing Company at Waterloo, Iowa, and the movement of the five refrigerator cars so loaded from that point not later than March 1, 1944, to Lake Charles, Louisiana, for export to Cuba. (CGW-MP)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of February 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-2813; Filed, February 28, 1944;
10:20 a. m.]

[S. O. 178, Special Permit 41]

REFRIGERATION OF CHEESE AT FREEPORT, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of four (4) refrigerator cars with cheese in packages and glass by Kraft Cheese Company at Freeport, Illinois and the movement of the four refrigerator cars so loaded from that point February 25 or 26, 1944, to Los Angeles, California; to Philadelphia, Pennsylvania; to Norfolk, Roanoke and Richmond,

Virginia, pool car; and to Missoula, Miles City, Butte and Helena, Montana, pool car. (C. M. St. P. & P.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of February 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-2814; Filed, February 28, 1944;
10:20 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-71]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ROME, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Rome, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved with the exception of section 5 (i). The operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any

operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Utica, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-71" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Utica, New York.

8. This order shall become effective March 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of February 1944.

C. D. Young,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

A. B. C. Taxi, 403 Williams Street, Rome, New York.

Al's Taxi, 403 Williams Street, Rome, New York.

John Anania, 850 Armstrong Street, Rome, New York.

Billie's Taxi, 201 E. Bloomfield Street, Rome, New York.

Michael Costello, 729 S. James Street, Rome, New York.

Bud's Taxi, 621 Webster Street, Rome, New York.

Larry Carello, 735 S. James Street, Rome, New York.

Michael Consillo, 121 W. Thomas Street, Rome, New York.

Globe Taxi, 104 S. James Street, Rome, New York.

LeRoy's Taxi, 410 W. Whitesboro Street, Rome, New York.

Rally's Taxi, 611 Floyd Avenue, Rome, New York.

Star Taxi, 410 W. Whitesboro Street, Rome, New York.

Francis Thaler, R. F. D. #4, Rome, New York.

George Thaler, 327 W. Court Street, Rome, New York.

Clayton Edy, 207 N. Washington Street, Rome, New York.

[F. R. Doc. 44-2820; Filed, February 28, 1944;
10:30 a. m.]

[Supp. Order ODT 20A-72]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN CORNING AND PAINTED POST, N. Y. AREAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Corning and Painted Post, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at

¹ Filed as part of the original document.

all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Binghamton, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-72" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Binghamton, New York.

8. This order shall become effective March 4, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 26th day of February 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Milton Thomas, d/b/a Thomas Taxi, 117½ Pine Street, Corning, New York.

Ester Linderman and Richard J. LeBarron, d/b/a LeBarron & Linderman, 103 North Hamilton Street, Painted Post, New York.

Genevieve Edmister, d/b/a Ed's Cab, 80 Pine Street, Corning, New York.

Harry S. Sawdey, d/b/a Sawdey Taxi, 116 Pine Street, Corning, New York.

[F. R. Doc. 44-2821; Filed, February 28, 1944; 10:31 a. m.]

[Supp. Order ODT 20A-73]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MUSKEGON, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Muskegon, Michigan, so as to assure

¹ Filed as part of the original document.

maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Grand Rapids, Michigan, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-73" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Grand Rapids, Michigan.

8. This order shall become effective March 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of February 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Larsen Storage Garage, Muskegon, Michigan.

Yellow Cab, Muskegon, Michigan.

Muskegon Cab Co., Muskegon, Michigan.

[F. R. Doc. 44-2811; Filed, February 28, 1944; 10:17 a. m.]

[Supp. Order ODT 20A-74]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN BAY CITY, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Bay City, Michigan, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. No supervisor, checker or road boss employed by the operators shall use coercive methods in effectuating compliance with the plan, and each such supervisor, checker or road boss shall report to the Office of Defense Transportation all violations of orders issued by the Office of Defense Transportation applicable to taxicab operations and all failures to comply with the plan that may be observed by them. No operator participating in the plan shall be denied or refused further participating without the prior approval of the Office of Defense Transportation.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the grant-

ing of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Saginaw, Michigan, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-74" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Saginaw, Michigan.

8. This order shall become effective March 6, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of February 1944.

C. D. Young,

Deputy Director,

Office of Defense Transportation.

APPENDIX 1

Ben C. Richard, d/b/a Bay City Taxi Cab Co., 906 Saginaw Street, Bay City, Michigan.
Thomas C. Biller, d/b/a Yellow Cab Co., 623 Saginaw Street, Bay City, Michigan.

[F. R. Doc. 44-2812; Filed, February 28, 1944; 10:17 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1298]

UPHOLSTERED FURNITURE

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1298 under § 1499.159b of Maximum Price Regulation No. 188, Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, it is ordered:

(a) *Purpose of this order.* The purpose of this order is to provide suitable methods for setting maximum prices for articles of upholstered furniture whether or not they use metal spring construction. The techniques provided in the order are the same as the existing pricing methods contained in Maximum Price Regulation No. 188 with slight variations which are largely designed for the pricing of articles of upholstered furniture in which metal spring constructions are again being used because of the War Production Board's recent release of steel. As far as practicable, this order sets the maximum price of an article of upholstered furniture containing metal spring-filling on the basis of an article which the manufacturer previously made containing metal spring-filling for which a maximum price has already been established.

(b) *Relationship of this order to other provisions of Maximum Price Regulation No. 188.* This order modifies the pricing provisions of § 1499.153 through § 1499.158 of Maximum Price Regulation No. 188 and establishes maximum prices for the sale and delivery by manufacturers of articles of upholstered furniture after the effective date of this order. For these sales and deliveries, the reporting provisions of §§ 1499.153 through 1499.158 and all other provisions of Maximum Price Regulation No. 188, shall apply.

(c) *Maximum prices.* This paragraph outlines seven pricing situations likely to confront a manufacturer and contains four methods by which his maximum price for an article of upholstered furniture may be set. Each situation is described in a heading and a maximum price is to be computed under the applicable method which is named in the paragraph following it.

(1) *Reintroduction of an article previously priced.* The maximum price for an article of upholstered furniture containing metal spring-filling which is the same as any article for which a maximum price has already been established shall be the maximum price of the article already priced. This is true of any article of upholstered furniture of any type the production of which was suspended and is resumed. Any article of upholstered furniture containing metal springs is not considered, for the purposes of this order, to be the same as an article which does not contain metal springs.

(2) *Reintroduction of an article previously priced, with minor changes.* The maximum price for an article of upholstered furniture, whether or not containing metal spring-filling, which differs from any article for which a maximum price has already been established only by reason of minor changes in material, design or construction which do not reduce the cost of materials or prevent its offering fairly equivalent serviceability, shall be the maximum price of the article

already priced. For the purposes of this order, any article of upholstered furniture containing metal spring-filling differs by more than minor changes from an article of upholstered furniture which does not contain metal spring-filling.

(3) *Introduction of an article previously priced, with substantial changes involving metal springs.* If a substantial change is made in an article of upholstered furniture for which a maximum price had previously been established in metal spring construction by varying the number, kind or placement of metal springs, the maximum price of the changed article shall be computed under the second pricing method of Maximum Price Regulation No. 188, as outlined in § 1499.156. If a substantial change is made by the introduction of metal springs in an article which has been manufactured with solid filling or substitutes for metal springs under the restrictions of War Production Board Order L-135 and which was previously made with metal spring-filling, the maximum price of the article being priced shall be computed under the second pricing method, as outlined in § 1499.156 of Maximum Price Regulation No. 188 using the original metal spring-filled article as a base.

(4) *Introduction of an article previously priced, with substantial changes, (other than those involving metal springs) due to shortage of materials or parts.* Where changes of materials or parts due solely to shortages are made in an article of upholstered furniture for which a maximum price had been previously established, whether or not it contained metal spring-filling, the maximum price of the changed article shall be computed under the second pricing method of Maximum Price Regulation No. 188, as outlined in § 1499.156.

(5) *Introduction of metal springs in an article never made with metal springs before.* The maximum price of an article for which a maximum price has been established without metal springs which is being produced for the first time containing metal springs shall be computed under the second pricing method of Maximum Price Regulation No. 188, as outlined in § 1499.156. Included here are articles which have always contained solid filling and articles containing solid filling or substitutes for metal springs produced for the first time since War Production Board Order L-135 was issued. Not included under this subparagraph are articles produced with springs prior to the issuance of War Production Board Order L-135, subsequently changed under this War Production Board order, and now again produced with springs. These last named articles are priced under subparagraph (3) above.

(6) *Introduction of a new article, or introduction of an article previously priced, with substantial changes, (other than those involving metal springs) not due to shortage of materials or parts—*

(i) *New articles.* The maximum price of an entirely new article of upholstered furniture, whether or not it contains metal springs, will be computed under the third pricing method of Maximum

Price Regulation No. 188, as outlined in § 1499.157.

(ii) *Substantial changes other than those involving spring-filling or shortages.* If any substantial changes other than those specified in subparagraphs (3) and (4) above are made in an article of upholstered furniture, whether or not containing metal springs, for which a maximum price has already been established, the maximum price of the resulting new article shall be computed under the third pricing method of Maximum Price Regulation No. 188, as outlined in § 1499.157.

Articles chosen as comparable articles having unit direct costs nearest above and nearest below the unit direct cost of the articles being priced under this subparagraph need not be articles currently being sold but shall be selected from among articles the manufacturer has previously included in a report under § 1499.156 or § 1499.157 of Maximum Price Regulation No. 188, filed with the Office of Price Administration in Washington, D. C. He may have included the unit direct cost of the article either for the purpose of pricing it or for the purpose of using it as the old or comparable article upon which the maximum price of another article was based.

(7) *Introduction of articles which cannot be priced by any of the methods outlined in the paragraphs preceding.* The maximum price for any article or group of related articles of upholstered furniture which cannot be established under subparagraphs (1), (2), (3), (4), (5), or (6) above, shall be determined under the fourth pricing method of Maximum Price Regulation No. 188, as outlined in § 1499.158.

(d) *Adjustment charge provided by Order 1052 may not be used by manufacturers in computing maximum price of new or changed articles under this order.* In computing the maximum price of a new or changed article under this order, the maximum price of the old or comparable article without the adjustment charge must be used. After the maximum price of the article being priced has been properly computed under this order (using the existing maximum prices of the old or comparable articles without adjustment charge) the 5% adjustment charge provided by Order No. 1052 may be added.

(e) This Order No. 1293 shall become effective on the 28th day of February 1944.

Issued this 26th day of February 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-2810; Filed, February 26, 1944;
4:53 p. m.]

[Maximum Import Price Regulation,¹ Order 8]
SALES OF IMPORTED MANUFACTURED GOODS

Exception relating to sales of imported manufactured goods priced prior to issuance of Amendment No. 2.

An opinion accompanying this Order No. 8 has been issued simultaneously

¹ 8 F.R. 11681, 12237.

herewith and has been filed with the Division of the Federal Register. For the reasons set forth in that opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, *It is hereby ordered, That:*

(a) Notwithstanding the provisions of the Maximum Import Price Regulation, any importer, primary wholesaler, secondary wholesaler, or retailer, who has applied for or has obtained an approved maximum selling price for imported manufactured goods from the Export-Import Price Branch, Office of Price Administration, Washington, D. C., prior to March 2, 1944 under paragraph (d) of section 8 of the Maximum Import Price Regulation, may sell or deliver such goods at the approved price within sixty days after March 2, 1944.

(b) Notwithstanding the provisions of the Maximum Import Price Regulation, any importer, primary wholesaler, secondary wholesaler or retailer, who had properly established a maximum price for imported manufactured goods prior to March 2, 1944 under paragraph (a) or (c) of section 8 of the Maximum Import Price Regulation by applying to his permitted total landed costs either the same dollars-and-cents mark-up or 75 percent of the percentage mark-up included in the price for his first sale after March 31, 1942, may sell or deliver such goods at that maximum price within sixty days after March 2, 1944.

(c) This Supplementary Order No. 8 shall become effective March 2, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2870; Filed, February 28, 1944;
11:53 a. m.]

Regional and District Office Orders.

[Region III Order G-9 Under RMPR 122, Amdt. 1]

SOLID FUELS IN MARION COUNTY, IND.

Amendment No. 1 to Order No. G-9 under Revised Maximum Price Regulation No. 122. Maximum prices for specified solid fuels in Marion County, in the State of Indiana.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III, of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122: *It is hereby ordered, That* section (c), Part V, of Order No. G-9 under Revised Maximum Price Regulation No. 122, be amended to read as follows:

(c) *Schedules for sales of coal.*
* * *

Column I	Column II	Column III
V. Pennsylvania anthracite: A. Egg, stove, chestnut.....	\$16.55	-----

For all sales of said anthracite coal for the periods February 7, 1944, to and including February 29, 1944, the sum of \$45 per ton may be added to the prices listed above.

This amendment to Order No. G-9 shall become effective February 7, 1944.

(56 Stat. 23, 765, Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 7, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-2797; Filed, February 26, 1944;
12:04 p. m.]

[Region III Order G-13 under RMPR 122, Amdt. 2]

SOLID FUELS IN TOLEDO, OHIO, AREA

Amendment No. 2 to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Toledo, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered, That* section (c), Part IV of Order No. G-13 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(c) *Schedule for sales of coal* * * *

Column I	Column II	Column III
IV. Pennsylvania anthracite (excluding broken anthracite), egg, stove or chestnut.....	\$16.00	\$14.25

For all sales of said anthracite coal for the period from February 7, 1944 to and including February 29, 1944, the sum of 45¢ per ton may be added to the prices listed above.

This amendment to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective February 7, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 7, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-2798; Filed, February 26, 1944;
12:04 p. m.]

[Region III Order G-14 Under RMPR 122, Amdt. 3]

CERTAIN AREAS IN MICHIGAN

Amendment No. 3 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the cities of Saginaw, Carrollton and Zilwaukee and the townships of Kochville, Buena Vista and Saginaw, all in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That section (c), Part IV of Order No. G-14 under Revised Maximum Price Regulation No. 122 be amended to read as follows:

(c) *Schedule for sales of coal.* * * *

Column I	Column II	Column III
IV. Anthracite—Pennsylvania:		
A. Rice.....	\$10.25	\$9.50
B. Egg, stove, chestnut.....	15.00	14.25

For all sales of said anthracite coal for the period from February 7, 1944 to and including February 29, 1944, the sum of 45¢ per ton may be added to the prices listed above.

This amendment to Order No. G-14 under Revised Maximum Price Regulation No. 122 shall become effective February 7, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681).

Issued February 7, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-2799; Filed, February 26, 1944;
12:04 p. m.]

[Region IV Order G-1 under MPR 188]

BRICK IN COLUMBUS, MISS.

Order G-1 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Columbus Brick Company, Columbus, Mississippi.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator and by § 1499.161 (a) (2) of Maximum Price Regulation 188, *It is hereby ordered*:

(a) That on and after the effective date of this order the Columbus Brick Company of Columbus, Mississippi, hereinafter referred to as the applicant, may sell and deliver common brick at a price no higher than a price reflecting its properly established maximum price under Maximum Price Regulation 188, plus a sum not in excess of \$2.00 per thousand.

(b) Any person purchasing common brick from the applicant for resale on and after the effective date of this order and paying therefor a price reflecting a permitted increase over the established maximum price of the applicant under Maximum Price Regulation 188 may add, in selling brick so purchased, the exact amount of such increase, not to exceed \$2.00 per thousand, to his own properly established maximum price.

(c) That all freight allowances, other allowances, discounts, differentiations in classes of purchasers and other price dif-

ferentials customarily made by applicant and all others affected by this order during March, 1942, shall be maintained.

(d) All other prayers of the applicant not granted are denied and to the extent that his application is denied, applicant may request a review in the manner provided in § 1300.17 of Revised Procedural Regulation 1.

(e) Except as otherwise provided herein, all transactions subject to this order remain subject to all appropriate regulations including the provisions of Maximum Price Regulation 188 and the General Maximum Price Regulation, where applicable, together with all the amendments that have been heretofore or which may be hereafter issued.

(f) This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective January 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 17, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-2795; Filed, February 26, 1944;
12:03 p. m.]

[Region IV Order G-2 Under MPR 183]

BRICK IN CORINTH, MISS.

Order G-2 under § 1499.161 (a) (2) of Maximum Price Regulation No. 188. Corinth Brick Company Corinth, Mississippi.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator and by § 1499.161 (a) (2) of Maximum Price Regulation 188, *It is hereby ordered*:

(a) That on and after the effective date of this order the Corinth Brick Company of Corinth, Mississippi, hereinafter referred to as the applicant, may sell and deliver common brick at a price no higher than a price reflecting its properly established maximum price under Maximum Price Regulation 188, plus a sum not in excess of \$2.00 per thousand.

(b) Any person purchasing common brick from the applicant for resale on and after the effective date of this order and paying therefor a price reflecting a permitted increase over the established maximum price of the applicant under Maximum Price Regulation 188 may add, in selling brick so purchased, the exact amount of such increase; not to exceed \$2.00 per thousand, to his own properly established maximum price.

(c) That all freight allowances, other allowances, discounts, differentiations in classes of purchasers and other price differentials customarily made by applicant and all others affected by this order during March, 1942, shall be maintained.

(d) All other prayers of the applicant not granted are denied and to the extent that his application is denied, ap-

plicant may request a review in the manner provided in § 1300.17 of Revised Procedural Regulation 1.

(e) Except as otherwise provided herein, all transactions subject to this order remain subject to all appropriate regulations including the provisions of Maximum Price Regulation 188 and the General Maximum Price Regulation, where applicable, together with all the amendments that have been heretofore or which may be hereafter issued.

(f) This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective January 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued February 17, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-2796; Filed, February 26, 1944;
12:03 p. m.]

[Region VII Order G-24 Under RMPR 122, Amdt. 5]

SOLID FUELS IN DENVER REGION

Order No. G-24 under revised Maximum Price Regulation No. 122, Amendment No. 5. Adjustment of specific maximum prices of dealers in Region VII to compensate for increases in supplier's price under Amendment 74 to Maximum Price Regulation No. 120.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Amendment No. 5 is issued.

1. Subparagraph (14) of paragraph (d), Appendix A, is amended to read as follows:

Mines operated by	District	Subdistrict	Index No.	Amount	Effective date
(14) Llan Coal Corporation: Star.....	19	2	24	Cents 20	1-24-44

2. Subparagraph (17) of paragraph (d), Appendix A, as added by Amendments No. 1 and No. 2, is amended to read as follows:

Mines operated by	District	Subdistrict	Index No.	Amount	Effective date
(17) The Victor American Fuel Co.: Flinnco.....	17	4	62	Cents 49	1-24-44
Wedge.....	17	5	62	19	1-24-44

3. Paragraph (d), Appendix A, is amended by adding thereto a new subparagraph designated (20), to read as follows:

Mines operated by	District	Sub-district	Index No.	Amount	Effective Date
(20) Gunn Quealy Coal Co.: Gunn No. 2..... Sweetwater No. 2.....	19 19	2 2	9 29	Cents 6 10	1-24-44 1-24-44

4. *Effective date.* This Amendment No. 5 shall become effective as of January 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of February 1944.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-2800; Filed, February 26, 1944;
12:04 p. m.]

[Region VII 2d Rev. Order G-7 under SR 15
of GMPR, Amdt. 1]

MILK IN CERTAIN AREAS IN COLORADO

2d Revised Order No. G-7 Under Supplementary Regulation 15 of the General Maximum Price Regulation, Amendment No. 1. Adjusted maximum prices for fluid milk sold at wholesale and at retail in certain areas in the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as Amended, Supplementary Regulation 15 to the General Maximum Price Regulation as Amended, and for the reasons set forth in the accompanying opinion, 2d Revised Order No. G-7 under Supplementary Regulation 15 of the General Maximum Price Regulation is hereby amended as follows:

1. Paragraph (b) is amended by adding thereto specific maximum prices for the "Colorado Springs Area" and the "Pueblo Area" as follows:

Colorado Springs area			Pueblo area	
Size of glass or paper container	Wholesale	Retail	Wholesale	Retail
	Cents	Cents	Cents	Cents
½ pint.....	3½	5	3½	5
Pint.....	6	7	6	7
Quart.....	11	13	11	13
½ Gallon.....	21	25	21	25
Gallon.....	41	48	41	48

2. Paragraph (c) (2) is amended by deleting therefrom the exception in parentheses immediately following the word "El Paso" and inserting in lieu thereof the following: "(except the Colorado Springs Area)", and by further deleting therefrom the exception in parentheses immediately following the word "Pueblo" and inserting in lieu thereof the following: "(except the Pueblo Area and the hamlet of Rye in Pueblo County and all that area lying within a radius of five miles thereof)", thereby making said paragraph (c) (2) read as follows:

(2) "Area 2" means all that area in the State of Colorado contained within the counties of Alamosa, Chaffee, Cheyenne, Conejos, Costilla, Crowley, Custer, Dolores (except that portion contained in Area 1), Eagle (except that portion contained in Area 6), Elbert, El Paso (except the Colorado Springs Area), Garfield, Grand, Gunnison (except that portion contained in Area 1), Kit Carson, Kiowa, Jackson, Lincoln, Morgan, Park, Phillips, Pueblo (except the Pueblo Area and the hamlet of Rye in Pueblo County and all that area lying within a radius of five miles thereof), Rio Blanco, Rio Grande, Routt (except that portion contained in Area 1), Saguache, San Miguel (except that portion contained in Area 4), Washington, and Yuma.

3. Paragraph (c) (5) is amended to read as follows:

(5) "Area 5" means all that area in the State of Colorado contained within the County of Lake (except the mining town of Climax and that portion of Lake County contained within Area 6) and the hamlet of Rye in Pueblo County, and all that area lying within a radius of five miles thereof.

4. Paragraph (c) is further amended by redesignating subparagraph (7) thereof subparagraph (9) and adding two new subparagraphs designated (7) and (8) to follow immediately after subparagraph (6), and reading as follows:

(7) "Colorado Springs Area" means all that area in the State of Colorado lying east of a line drawn north and south through a point one mile west of the most westerly boundary of the municipality of Manitou, Colorado, and south of a line drawn east and west through a point four miles north of the most northerly boundary of the municipality of Colorado Springs, Colorado, and west of a line drawn north and south through a point one mile east of the most easterly boundary of the municipality of Fountain, Colorado, and north of a line drawn east and west through a point one mile south of the most southerly boundary of Fountain, Colorado.

(8) "Pueblo Area" means all of that area in the State of Colorado lying east of a line drawn north and south through a point three miles west of the most westerly boundary of the municipality of Pueblo, Colorado, and south of a line drawn east and west through a point three miles north of the most northerly boundary of the municipality of Pueblo, Colorado, and west of a line drawn north and south through a point three miles east of the most easterly boundary of the municipality of Pueblo, Colorado, and north of a line drawn east and west through a point three miles south of the most southerly boundary of the municipality of Pueblo, Colorado.

Effective date. This Amendment No. 1 shall become effective as to the community of Rye, Colorado, on the 16th day of February 1944, and as to the Colorado Springs and Pueblo Areas the same shall become effective retroactively as of

the 16th day of November, 1943, the date upon which the 2d Revised Order No. G-7 was issued by this regional office.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 16th day of February 1944.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-2801; Filed, February 26, 1944;
12:05 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-75; 70-728]

THE COMMONWEALTH AND SOUTHERN CORP.
(DELAWARE)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of February 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company.

Notice is further given that any interested person may, not later than March 8, 1944, at 5:30 p. m., e. v. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction thereon proposed which is summarized below:

Commonwealth proposes, subject to the approval of the Commission, to pay a dividend of \$1.25 per share, an aggregate of \$1,852,000, on the outstanding shares of its preferred stock. The dividend was declared on February 19, 1944 and is payable on the 28th day after approval by this Commission, to stockholders of record at the close of business on the 14th day after such approval. The pending application is similar in substance to three applications approved by the Commission in 1943 covering proposed distributions to preferred stockholders (see Holding Company Act Release Nos. 4383, June 24, 1943; 4560,

September 13, 1943; and 4709, November 26, 1943).

Applicant considers sections 11 and 12 (c) of the Act and Rule U-46 as applicable to the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-2805; Filed, February 26, 1944;
3:17 p. m.]

[File No. 54-51]

NATIONAL POWER AND LIGHT CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of February, A. D., 1944.

In the matter of National Power & Light Company, Lehigh Valley Transit Company, Pennsylvania Power & Light Company, The Edison Illuminating Company of Easton, Applications No. 8 and 9.

Notice is hereby given that joint applications have been filed with this Commission by National Power & Light Company ("National"), a registered holding company, and its subsidiary companies Pennsylvania Power & Light Company ("Pennsylvania"), Lehigh Valley Transit Company ("Transit") and The Edison Illuminating Company of Easton ("Edison Illuminating"), pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules and Regulations of this Commission promulgated thereunder. All interested persons are referred to said documents, which are on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

National states that the proposals contained in the applications are made as further steps in compliance with the order of the Commission dated August 23, 1941 directing the dissolution of National and in carrying out its "Plan Dated as of May 7, 1942 for compliance with section 11 (b) (2) of the Public Utility Holding Company Act of 1935" as supplemented by Amendment No. 4 thereto dated February 15, 1943. The proposals are as follows:

(1) Transit will sell and Pennsylvania will acquire 15,469 shares of the \$7 preferred stock of Pennsylvania now owned by Transit and pledged under its first, and refunding and improvement mortgages at a price of \$97.50 per share or an aggregate consideration of \$1,508,227.50 plus accumulated and unpaid dividends.

(2) Transit will sell and Pennsylvania will purchase a steam generating station and certain related electric equipment located at Allentown, Pennsylvania for a cash consideration of approximately \$1,900,000.

(3) Transit will, out of the proceeds arising from the above transactions, retire all of its First Mortgage Bonds in the principal amount of \$1,890,750, which bonds are redeemable at principal amount plus accrued interest.

(4) Transit will deposit with the Trustee under Transit's refunding and improvement mortgage the remainder of the proceeds, such proceeds to be used for the purchase and cancellation of bonds secured by said Refunding and Improvement Mortgage in accordance with the terms thereof.

(5) Edison Illuminating will surrender for redemption to Transit or, prior to such redemption, will sell to the public at market price \$72,000 principal amount of the First Mortgage Bonds of Transit now owned by it and with the proceeds, together with other monies available will retire 4,317 shares of its capital stock now owned by National at par of \$25 per share or an aggregate amount of \$107,925.

(6) National will transfer to Pennsylvania, as a capital contribution, the remainder of the capital stock of Edison Illuminating consisting of 8000 shares and Pennsylvania will accept such contribution subject, however, to obtaining from this Commission an order issued pursuant to sections 3 (a) (1) and 3 (a) (2) of the act exempting Pennsylvania, as a holding company, from the provisions of the Act on the ground that Pennsylvania, after the acquisition, will be predominantly a public utility company.

It appearing to the Commission that it is appropriate in the public interest that a hearing be held with respect to said matters and that said application shall not be granted except pursuant to further order of this Commission; and

It further appearing to the Commission that evidence bearing on the matter recited above, and upon the questions to be determined, is contained in the record of proceedings before the Commission in *Pennsylvania Power & Light Company, et al.*, File No. 32-164 and File No. 59-29;

It is ordered, That a hearing on such matters under the applicable provisions of the said act and the rules promulgated thereunder be held on March 23, 1944 at 10:30 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such applications shall be granted. Notice is hereby given of said hearing to the above named applicants and to all interested parties, said notice to be given to said applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the rules of practice of the Commission.

It is further ordered, That any person desiring to be heard at said hearing or proposing to intervene therein shall file with the Secretary of the Commission

on or before March 21, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of the issues presented by the said applications otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed transactions: (a) Constitute steps in compliance with the order of the Commission dated August 23, 1941 issued pursuant to section 11 (b) (2) of the act, directing the dissolution of National, (b) are fair and equitable to all persons affected thereby, and (c) are in conformity with the applicable provisions of the act and the rules, regulations and orders thereunder.

(2) Whether, in the event the transfer by National to Pennsylvania of the capital stock of Edison Illuminating is approved, Pennsylvania shall be granted exemption as a holding company from the provisions of the act.

(3) Whether the accounting entries in connection with the proposed transactions are in conformity with the standards of the act and the rules promulgated thereunder.

(4) Whether, in the event the applications are granted, it is necessary to impose any terms or conditions to insure compliance with the standards of the act.

It is further ordered, That in the interest of expeditious procedure all evidence with respect to Pennsylvania Power & Light Company, Lehigh Valley Transit Company, Edison Illuminating Company of Easton, National Power & Light Company and Electric Bond and Share Company contained in the record of the proceedings in *Pennsylvania Power & Light Company*, File No. 59-29, and in *Pennsylvania Power & Light Company*, File No. 32-164, so far as relevant to the issues above stated, shall be incorporated in the record of the proceedings herein ordered, and shall be regarded as evidence duly adduced in the present proceedings, subject to the same objections and exceptions preserved in the record of the proceeding in which first introduced.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-2804; Filed, February 26, 1944;
3:17 p. m.]

[File No. 70-854]

THE NIAGARA FALLS POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of February 1944.

The Niagara Falls Power Company, a subsidiary of Buffalo, Niagara and Eastern Power Corporation, in turn a subsidiary of Niagara Hudson Power Cor-

poration, in turn a subsidiary of The United Corporation, a registered holding company, having filed a declaration under the Public Utility Holding Company Act of 1935 regarding the reduction of the stated value of its no par common stock from \$35,575,565, as presently stated, to \$21,077,796.89, for the purpose of creating Capital Surplus in the amount of \$14,497,768.11 to be used for the write-down of its fixed assets in compliance with outstanding orders of the Federal Power Commission; and

A public hearing having been duly held and the Commission having considered the record in this matter and having made and filed its findings and opinion therein;

It is hereby ordered, That said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-2819; Filed, February 28, 1944;
10:30 a. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 26]

REGISTRANTS IN VIRGIN ISLANDS

ASSIGNMENT OF SERIAL AND ORDER NUMBERS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, *I hereby order*:

1. The provisions of the Selective Service Regulations, Second Edition, concerning the assignment of serial numbers and order numbers shall not apply to the assignment of serial numbers and order numbers of registrants under the jurisdiction of local boards in the Virgin Islands. The assignment of serial numbers and order numbers to such registrants shall be made in accordance with this operations order. As used in this order, the words "local board" mean a local board in the Virgin Islands of the United States and the word "registrant" means a registrant under the jurisdiction of a local board in the Virgin Islands of the United States.

2. Registrants under the jurisdiction of local boards in the Virgin Islands of the United States shall, for the purpose of assignment of serial numbers and order numbers, be considered as registrants of one registration group. Order numbers shall be assigned as hereinafter provided to such registrants from the National Master list—First Drawing, October 29-30, 1940 (Form 169).

3. The local board shall assign serial numbers and order numbers to registrants for whom it receives or completes a registration card on or before March 14, 1944, in the following manner:

(a) After the local board has transcribed from the registration card (Form 1-F) to a white registration card (Form 1) all of the information needed to complete the white registration card (Form 1) as provided in § 618.11 of the Selective Service Regulations, it shall place all of such registration cards (Form 1) together. On March 15, 1944, the local

board shall thoroughly shuffle or mix such registration cards (Form 1) so that the location of any card in the pile—and the number it later receives—will be purely a matter of chance.

(b) (1) The local board shall then put on each registration card (Form 1) a serial number in the space marked serial number. The card that is first in the pile after the shuffle shall be numbered "1", the next card "2", and so on. Each card shall have one, and only one, whole serial number, such as 2691. No letters or fractions shall be used in the first serial numbering of cards. Whether pen or rubber stamp is used, the serial number shall be in black ink.

(2) If errors are made in serial numbering the cards or other irregularities occur, they shall be corrected in the manner prescribed in paragraphs (c), (d), (e), (f), and (g), whichever is applicable.

(c) A local board shall use a serial number only once. If a card is canceled because of duplication, transfer, or any other reason, the serial number on that card shall not be put on another card.

(d) If a check of the cards shows that a card was not given a serial number, the board shall, if any numbers were skipped, give the card one of the skipped numbers picked by lot; or, if no numbers were skipped, the board shall give the card the number following the largest serial number already used by the board.

(e) If two cards have the same serial number, the board shall pick one of the cards by lot to keep that number. It shall renumber the other card as prescribed in paragraph (d).

(f) If the local board has two registration cards (Form 1) for the same registrant, the cards should be treated just as if they were cards for two different registrants.

(g) If a card has on it two serial numbers, neither of which is also on another card, the board shall give it the smaller of the two numbers. If either of the numbers is on another card, the board shall give to the card having the two numbers the number not on another card. If both of the two serial numbers are on other cards, the board shall number the card as prescribed in paragraph (d).

(h) While, or after, serial numbering its registration cards, the local board shall make out a list of Registrants (Form 3-B) in quadruplicate. Registrants shall be listed in order of their serial numbers, with the registrant having Serial Number 1 at the top of the list. All numbers from "1" to the largest serial number used shall be listed, whether or not each number was given to a registrant.

(i) (1) When the local board has completed the actions provided for above, it shall on March 15, 1944, assign each registrant an order number by use of the National Master List—First Drawing, October 29-30, 1940 (Form 169). The greatest care must be used in the assignment of order numbers because the order numbers establish the order in which the registrants will be considered for selection for service. The registrant

whose serial number appears at the top, or nearest the top of the National Master List shall get Order Number 1. The registrant whose serial number is next closest to the top of the National Master List shall get Order Number 2. The registrant whose serial number is third closest to the top of the list shall get Order Number 3, and so on until each registrant has an order number. Order numbers must be assigned in sequence; no order number shall be skipped. Serial numbers on the National Master List which are not held by any registrant of the particular local board are simply crossed off the National Master List and ignored. It is suggested that the local board shall as its first step in the assignment of order numbers mark the order numbers opposite the applicable serial numbers on the National Master List.

(2) Example: Suppose the National Master List begins:

258
7
8225
119
634

and that a certain local board's largest serial number is 2,104 and that for some reason it has no card serial numbered 119. Then:

Serial Number 258 gets Order Number 1.
Serial Number 7 gets Order Number 2.
Serial Number 3225 [should be cancelled].
Serial Number 119 [should be cancelled].
Serial Number 634 gets Order Number 9.

(3) Before the order numbers are placed on the registration cards (Form 1), the local board must be sure that its assignment of order numbers without exception agrees with the order in which the serial numbers on its cards appear on the National Master List. The oversight of one serial number will upset every order number below it, and if the order numbers have been placed on the cards before the mistake is found, blotched cards will be the result.

(4) When the local board is sure that its assignment of order numbers is correct, it shall enter them on the registration cards (Form 1) in red ink in the place designated.

(j) (1) If a local board has two cards for the same registrant, the card whose serial number comes earliest in the National Master List shall be given its proper order number. The other card shall be marked "Canceled. Duplicate."

(2) If a registrant is registered with two local boards, each board shall put an order number on the card it has, just as if he were registered with only one local board.

(k) As soon as order numbering is completed, the local board shall place the order numbers in the first column and will otherwise complete all four copies of the List of Registrants (Form 3-B). The local board shall then post one copy of such DSS Form 3-B in its office, file one copy, furnish one copy to the press, and forward one copy to its State Director of Selective Service.

4. The local board shall assign serial numbers and order numbers to registrants for whom it receives or completes a registration card on and after March 15, 1944, in the following manner:

(a) After the local board has transcribed from the registration card (Form 1-F) to a white registration card (Form 1) all of the information needed to complete the white registration card (Form 1) as provided in § 618.11 of the Selective Service Regulations, it shall then place the smallest unassigned serial number upon such registration card (Form 1).

(b) The local board shall then find from the National Master List—First Drawing, October 29–30, 1940 (Form 169) what the registrant's order number would have been if his registration card (Form 1) had been completed prior to March 15, 1944. The local board shall then assign such registrant the order number which precedes the order number which would have been assigned to him had his registration card (Form 1) been completed prior to March 15, 1944, and shall add a letter to it. For example: If his order number would have been 84 had his card been completed prior to March 15, 1944, the local board will assign him Order No. 83-A.

LEWIS B. HERSHEY,
Director.

FEBRUARY 25, 1944.

[F. R. Doc. 44-2760; Filed, February 25, 1944,
4:09 p. m.]

WAR PRODUCTION BOARD.

DENTALIUM LABORATORIES AND DENTALIUM
PRODUCTS, AND PARA-CHROME RESEARCH
LABORATORIES, INC.

CONSENT ORDER

Myrtle Dustoor, Herman Ampel, Leon Mogul and Sydney Metz, doing business as Dentalum Laboratories and Dentalum Products, and Para-Chrome Research Laboratories, Inc., all located at 333 West 39th Street, New York, New York, are engaged in the business of manufacturing and distributing dentures. By a letter dated December 13, 1943, from the War Production Board, they were charged with having violated Conservation Order M-199 of the War Production Board by having purchased approximately 7,000 ounces of silver and having processed approximately 12,500 silver rings during the period September 28, 1942, through October 4, 1943. Hearings before a Compliance Commissioner have been held during which the respondents conceded that they purchased and processed 1,000 ounces of silver in violation of Conservation Order M-199.

Wherefore; upon the agreement and consent of the Regional Compliance Chief, the Regional Attorney, and upon the approval of a Compliance Commissioner, *It is hereby ordered, That:*

(a) Deliveries of material to Myrtle Dustoor, Herman Ampel, Leon Mogul and Sydney Metz, individually, or doing business as Dentalum Laboratories or as Dentalum Products or otherwise, or to Para-Chrome Research Laboratories, Inc., their or any of their successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such

delivery under any preference rating certificate, preference rating order, general preference order, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation to Myrtle Dustoor, Herman Ampel, Leon Mogul or Sydney Metz, individually, or doing business as Dentalum Laboratories or as Dentalum Products or otherwise, or to Para-Chrome Research Laboratories, Inc., their or any of their successors or assigns, shall be made of any material the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Myrtle Dustoor, Herman Ampel, Leon Mogul and Sydney Metz, individually, or doing business as Dentalum Laboratories or as Dentalum Products or otherwise, or to Para-Chrome Research Laboratories, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board.

(d) This order shall be in effect from February 24, 1944, to March 24, 1944, both inclusive.

Issued this 17th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2708; Filed, February 24, 1944;
4:36 p. m.]

M. GLOSSER & SONS

CONSENT ORDER

David Glosser and Solomon Glosser of Johnstown, Pennsylvania, are partners in the firm of M. Glosser & Sons, with offices at 630 Elder Street and a sales room at 80 Messenger Street, Johnstown, Pennsylvania, and are engaged in the business of dealing in electric motors, new and used machinery, scrap and used copper, steel warehouse products, plumbing and heating materials. An investigation conducted by representatives of the War Production Board on or about March 25, 1943, and July 12 to 14, 1943, disclosed that the aforementioned persons failed, in numerous instances, to conform to the provisions contained in Limitation Order No. L-79, General Preference Order M-9-a and Supplementary Conservation Order M-9-c-4, issued by the War Production Board. The aforementioned persons have admitted their failure to comply in all instances with the provisions of these regulations, and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of David Glosser and Solomon Glosser, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) David Glosser and Solomon Glosser of Johnstown, Pennsylvania, partners in the firm of M. Glosser & Sons, and

doing business under that name or under their own names or any other names, their successors or assigns, are hereby prohibited from accepting deliveries of, receiving, delivering, selling, transferring or otherwise dealing in any new metal plumbing equipment or any new metal heating equipment which is now or during the term of this order may be controlled by Limitation Order L-79, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve David Glosser and Solomon Glosser of Johnstown, Pennsylvania, partners in the firm of M. Glosser & Sons, or under their own names or any other names, their successors or assigns, from any restrictions, prohibitions or provisions contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance, and shall expire ninety days from date thereof, at which time the restrictions contained in this order shall be of no further force or effect.

Issued this 27th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2833; Filed, February 26, 1944;
4:10 p. m.]

[Certificate 196]

TECHNICAL INFORMATION ON STYRENE

APPROVAL OF AGREEMENT ON EXCHANGE AND USE IN CANADA

The ATTORNEY GENERAL:

I submit herewith a proposed "Agreement on Exchange and Use in Canada of Technical Information Relating to Styrene" to be effective as of October 15, 1942, between His Majesty the King in Right of Canada acting through Polymer Corporation Limited; Rubber Reserve Company; Universal Oil Products Company; Standard Oil Development Company; Jasco, Incorporated; Koppers Company; Koppers United Company; Monsanto Chemical Company; Carbide and Carbon Chemicals Corporation; Phillips Petroleum Company; the Lummus Company; The Dow Chemical Company and Dow Chemical of Canada, Limited. The agreement is proposed by the Rubber Reserve Company and has been approved by the Rubber Director.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the agreement; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by the parties to the agreement in compliance with the terms thereof is requisite to the prosecution of the war.

Dated: February 23, 1944.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 44-2816; Filed, February 23, 1944;
10:42 a. m.]

